FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT

Wednesday, 17 October 2007

SPEAKER'S STATEMENT ............................................................................................................................................................ 3629
National Week of Deaf People ............................................................................................................................................................. 3629

PETITIONS ..................................................................................................................................................................................... 3629

TABLED PAPERS ............................................................................................................................................................................. 3629

MINISTERIAL STATEMENTS .............................................................................................................................................................. 3629

Health Action Plan ........................................................................................................................................................................... 3630
Callide Oxyfuel Project ......................................................................................................................................................................... 3630
Lexmark Indy .................................................................................................................................................................................. 3631
Asia-Pacific Screen Awards .................................................................................................................................................................... 3631
Andy Warhol Exhibition ...................................................................................................................................................................... 3631
Water Restrictions, Level 6 .................................................................................................................................................................. 3632
Auslan .......................................................................................................................................................................................... 3633
Smoke Alarms, Hearing-Impaired People ........................................................................................................................................ 3633
Queensland Racing ............................................................................................................................................................................ 3634
Dalrymple Bay Third Rail Loop .......................................................................................................................................................... 3634
Coal Exports ..................................................................................................................................................................................... 3635
Lexmark Indy .................................................................................................................................................................................. 3635
Home WaterWise Rebate Scheme .................................................................................................................................................... 3636
Flying Fox Satellite Tracking ............................................................................................................................................................. 3636
Block Voting; Federal Election, Registration to Vote .......................................................................................................................... 3637
Airport Drive Roundabout .................................................................................................................................................................. 3637

Tabled paper: Draft Terms of Reference, undated, by the Department of Main Roads, titled 'A Task for Improving Short Term Access into and out of Brisbane Airport precinct'................................................................................. 3638
Palm Island Community Co. Ltd ............................................................................................................................................................ 3638
Department of Housing, Water-Saving Devices .................................................................................................................................. 3639

CONDOLENCE MOTION ................................................................................................................................................................. 3639
Death of Trooper David Pearce .......................................................................................................................................................... 3639
Table of Contents — Wednesday, 17 October 2007

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE .................................................................................................................. 3640

- Reports ................................................................................................................. 3640
  - Tabled paper: Report No.75—A report on the Parliamentary Crime and Misconduct Commissioner’s report on his inspection, pursuant to Section 362 of the Police Powers and Responsibilities Act 2000, of the CMC’s records regarding surveillance device warrants for the period 1 July 2006 to 30 April 2007. 3640
  - Tabled paper: Annual Report to the Parliamentary Crime and Misconduct Committee for the period 1 July 2006 to 30 June 2007 on compliance requirements under the Police Powers and Responsibilities Act 2000 for assumed identities and surveillance devices. 3640
  - Tabled paper: Letter, dated 17 July 2007, from Robert Needham, Chairperson Crime and Misconduct Commission to Mr P Hoolihan MP, Chair Parliamentary Crime and Misconduct Committee relating the annual compliance requirements for controlled operations. 3640

NOTICE OF MOTION ........................................................................................................... 3640

- Health System ........................................................................................................ 3640

SPEAKERS’ STATEMENT .................................................................................................. 3640

- National Week of Deaf People ............................................................................. 3640

QUESTIONS WITHOUT NOTICE ...................................................................................... 3641

- Crime and Misconduct Commission Investigation ........................................... 3641
- Local Government Reform, Scrutiny of Legislation Committee Report ........... 3641
- National Week of Deaf People ............................................................................. 3642
- Shared Service Initiative ....................................................................................... 3643
- Northern Pipeline Interconnector ........................................................................ 3643
- Gold Coast Desalination Plant ............................................................................. 3644
- State Finances, Coalition Policy ........................................................................... 3645
- Health Services ..................................................................................................... 3645
  - Tabled paper: Document, dated 1 August 2007 by Southern Area Health Service titled ‘Allied Health
Vacancy Data’. 3645
- Prisons, Cable TV and Broadband Connections ............................................... 3646
- Division: Question put—That the minister be further heard. 3647
- Resolved in the affirmative. 3647
- Local Government Reform ................................................................................. 3647
- Mackay, Road Projects ........................................................................................ 3648
- Auslan Interpreters, Police Interviews ............................................................... 3649
- Moreton Bay Marine Park Zoning Plan ............................................................... 3649
- Department of Child Safety, Commercial Accommodation ............................. 3649

PRIVATE MEMBERS’ STATEMENTS ............................................................................. 3650

- Equine Influenza, Melbourne Cup Race Meetings ............................................. 3650
- Sexism in Politics ................................................................................................. 3651
- Shared Service Initiative ....................................................................................... 3651
- Federal Election Campaign .................................................................................. 3651

CRIMINAL CODE (PROTECTING SCHOOL STUDENTS AND MEMBERS OF STAFF FROM ASSAULTS) AMENDMENT BILL .................................................................................................................. 3652

- First Reading ........................................................................................................ 3652
- Second Reading ................................................................................................... 3652

PRIVATE MEMBERS’ STATEMENTS ............................................................................. 3652

- African Refugees ................................................................................................. 3652

CORONERS AND BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL .................................................................................................................. 3653

- First Reading ........................................................................................................ 3653
- Second Reading ................................................................................................... 3653

PRIVATE MEMBERS’ STATEMENTS ............................................................................. 3654

- Flexible Learning ................................................................................................. 3654
- Freshwater Species Conservation Centre ........................................................... 3654
- Redcliffe Seafood Festival ................................................................................... 3654
- Public Transport ................................................................................................... 3655
- Western Corridor Recycled Water Pipeline ......................................................... 3655
- Queensland Workplaces ....................................................................................... 3656
- 29th Australasian Police Basketball Championships ......................................... 3656

CAPE YORK PENINSULA HERITAGE BILL ................................................................... 3657

- Second Reading ................................................................................................... 3657

MESSAGE FROM GOVERNOR ...................................................................................... 3665

- Tabled paper: Message, dated 17 October 2007, from Her Excellency the Governor relating to the introduction of the Judicial Remuneration Bill 2007. 3665

JUDICIAL REMUNERATION BILL .................................................................................. 3665

- First Reading ........................................................................................................ 3665
- Second Reading ................................................................................................... 3665
CAPE YORK PENINSULA HERITAGE BILL ................................................................................................................................. 3666

MINISTERIAL STATEMENT ................................................................................................................................................................. 3684
Auslan Interpreters, Police Interviews ........................................................................................................................................... 3684
Tabled paper: Explanatory notes for amendments to be moved during consideration in detail of the
Cape York Peninsula Heritage Bill by the Premier. ................................................................................................................................. 3686
Division: Question put—That the bill be now read a second time. ........................................................................................................ 3688
Resolved in the affirmative under standing order 108. ......................................................................................................................... 3688
Consideration in Detail ........................................................................................................................................................................... 3688
Clauses 1 to 18, as read, agreed to. ....................................................................................................................................................... 3688
Clause 19 (Development in indigenous community use area)— ........................................................................................................ 3688
Clause 19, as amended, agreed to. ....................................................................................................................................................... 3688
Clauses 20 to 23, as read, agreed to. ....................................................................................................................................................... 3688
Clause 24 (Special provision about particular scientific purposes permit) — ............................................................................................... 3688
Clause 24, as amended, agreed to. ....................................................................................................................................................... 3690
Clause 25, as read, agreed to. ....................................................................................................................................................... 3691
Clauses 26 to 33, as read, agreed to. ....................................................................................................................................................... 3691
Clause 34 (Amendment of s 39 (Permitted dealings with transferred land))— ............................................................................................... 3691
Clause 34, as amended, agreed to. ....................................................................................................................................................... 3691
Clause 35, as read, agreed to. ....................................................................................................................................................... 3691
Clause 36 (Amendment of s 76 (Permitted dealings with granted land))— ............................................................................................... 3691
Clause 36, as amended, agreed to. ....................................................................................................................................................... 3691
Clause 37, as read, agreed to. ....................................................................................................................................................... 3691
Clause 38 (Insertion of new pts 5A–5C)— ....................................................................................................................................................... 3691
Clause 38, as amended, agreed to. ....................................................................................................................................................... 3692
Clauses 39 to 48, as read, agreed to. ....................................................................................................................................................... 3692
Clause 49 (Insertion of new pt 4, div 3, sdiv 2)— ....................................................................................................................................................... 3692
Clause 49, as amended, agreed to. ....................................................................................................................................................... 3692
Insertion of new clause— ....................................................................................................................................................... 3692
Amendment agreed to. ....................................................................................................................................................... 3692
Clauses 50 to 54, as read, agreed to. ....................................................................................................................................................... 3692
Clause 55 (Amendment of schedule (Dictionary))— ....................................................................................................................................................... 3692
Clause 55, as amended, agreed to. ....................................................................................................................................................... 3693
Clause 56, as read, agreed to. ....................................................................................................................................................... 3693
Clause 57 (Insertion of new pt 2, div 4A)— ....................................................................................................................................................... 3693
Clause 57, as amended, agreed to. ....................................................................................................................................................... 3693
Clauses 58 and 59, as read, agreed to. ....................................................................................................................................................... 3693
Clause 60 (Amendment of s 22A (Particular vegetation clearing applications may be assessed))— ....................................................................................................................................................... 3693
Clause 60, as amended, agreed to. ....................................................................................................................................................... 3693
Clauses 61 and 62, as read, agreed to. ....................................................................................................................................................... 3693
Insertion of new clauses— ....................................................................................................................................................... 3693
Amendment agreed to. ....................................................................................................................................................... 3694
Clause 63 (Amendment of s 44 (Relationship with other Acts))— ....................................................................................................................................................... 3694
Clause 63, as amended, agreed to. ....................................................................................................................................................... 3694
Clause 64, as read, agreed to. ....................................................................................................................................................... 3694
Insertion of new clause— ....................................................................................................................................................... 3694
Non-government amendment (Mr Johnson) agreed to. ....................................................................................................................................................... 3695
Schedule, as read, agreed to. ....................................................................................................................................................... 3695
Third Reading ........................................................................................................................................................................... 3695

ORDER OF BUSINESS ........................................................................................................................................................................... 3695
QUEENSLAND HERITAGE AND OTHER LEGISLATION AMENDMENT BILL ................................................................................................. 3695

HEALTH SYSTEM ........................................................................................................................................................................... 3697
Tabled paper: Document titled ‘Outpatients Waiting by Facility, Queensland Public Hospitals, number
of new patients waiting for an outpatient attendance as at 1 March 2007 and number of new and repeat
patients seen 1 July 2006 to 31 December 2006’. ....................................................................................................................................................... 3697
Tabled paper: Extract from letter, dated 21 August 2007, on behalf of Specialist Outpatients
Administrator, in relation to orthopaedic clinic waiting list. ....................................................................................................................................................... 3697
Tabled paper: Extract from AMA media transcript, in relation to local hospital boards. ....................................................................................................................................................... 3698
Division: Question put—That the amendment be agreed to— ....................................................................................................................................................... 3707
Resolved in the affirmative. ....................................................................................................................................................... 3707
Division: Question put—That the motion, as amended, be agreed to. ....................................................................................................................................................... 3707
Resolved in the affirmative. ....................................................................................................................................................... 3707
<table>
<thead>
<tr>
<th>Table of Contents — Wednesday, 17 October 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—GREEN VEHICLES CONCESSION) AMENDMENT BILL ..........3707</td>
</tr>
<tr>
<td>Second Reading .................................................................3707</td>
</tr>
<tr>
<td>Division: Question put—That the bill be now read a second time..................................................3721</td>
</tr>
<tr>
<td>Resolved in the negative ......................................................3721</td>
</tr>
<tr>
<td>CRIMINAL CODE (DOUBLE JEOPARDY) AMENDMENT BILL .................................................................3721</td>
</tr>
<tr>
<td>Second Reading .................................................................3721</td>
</tr>
<tr>
<td>Consideration in Detail ......................................................3730</td>
</tr>
<tr>
<td>Clauses 1 to 4, as read, agreed to ........................................3730</td>
</tr>
<tr>
<td>Third Reading ........................................................................3730</td>
</tr>
<tr>
<td>Long Title .............................................................................3730</td>
</tr>
<tr>
<td>ADJOURNMENT ........................................................................3730</td>
</tr>
<tr>
<td>Sex Offenders ........................................................................3730</td>
</tr>
<tr>
<td>Teaching Queensland History in Schools ..........................................................3731</td>
</tr>
<tr>
<td>Responsible Pet Ownership ..................................................3731</td>
</tr>
<tr>
<td>Pacific Islander Celebrations ...............................................3732</td>
</tr>
<tr>
<td>CityCare Brisbane ................................................................3732</td>
</tr>
<tr>
<td>Bundamba Fire and Rescue Station ..........................................3733</td>
</tr>
<tr>
<td>Macropod Harvesting Industry, Western Queensland .................................3734</td>
</tr>
<tr>
<td>Princess Party .......................................................................3734</td>
</tr>
<tr>
<td>Country Racing ......................................................................3735</td>
</tr>
<tr>
<td>Gold Coast, Federal Election ................................................3735</td>
</tr>
<tr>
<td>ATTENDANCE .........................................................................3736</td>
</tr>
</tbody>
</table>
Mr SPEAKER (Hon. MF Reynolds, Townsville) read prayers and took the chair at 9.30 am. 
Mr SPEAKER (Hon. MF Reynolds, Townsville) acknowledged the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

SPEAKER’S STATEMENT

National Week of Deaf People

Mr SPEAKER: Honourable members, this week is the National Week of Deaf People. In support of this, the Queensland parliament has specifically invited the Queensland deaf community to come to parliament to observe question time today. For the duration of question time, interpreters from Deaf Services Queensland will be in the public gallery providing an Auslan sign language interpretation of today’s question time. Two plasma screens have been affixed in the gallery to provide members of the public in attendance a better view of the chamber. At the conclusion of question time today, I will be hosting a function to welcome all members of the deaf community who are visiting us here today. I invite all members who are able to to join us on the level 3 colonnade.

PETITIONS

The following honourable members have lodged paper petitions for presentation—

Cash Converters

Mr Purcell, from 786 petitioners, requesting the House to abandon the proposed legislative changes that may stop Cash Converters from providing short-term cash loans.

Robina Hospital, Palliative Care Unit

Mr Stevens, from 305 petitioners, requesting the House to reopen the Palliative Care Unit at the Robina Hospital.

TABLED PAPERS

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by the Clerk—

Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland (Mr Shine)—

• Interim Prohibition Order pursuant to s85A(1) prohibiting the supply of dangerous goods or undesirable goods (toothpaste containing more than 0.25% by weight of diethylene glycol)

Minister for Emergency Services (Mr Roberts)—

• Report for the Legislative Assembly, pursuant to section 56A(4) of the Statutory Instruments Act 1992, in relation to the Building Fire Safety Regulation 1991

MINISTERIAL STATEMENTS

Health Action Plan

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.33 am): Next week marks the second anniversary of the Queensland government’s landmark $10 billion Health Action Plan. Although it is a five-year blueprint for a better health system, we are already seeing real reform, real improvements and real benefits just two years on. We are building a first-class health system that is more responsive to challenges, more flexible to emerging trends, more accountable to public scrutiny, more patient focused and better resourced and equipped to deal with increasing demand.

A few figures give an indication of the story so far. Queensland Health’s budget this year is a massive $7.15 billion, more than double what it was 10 years ago. We now employ more than 6,000 more clinicians than we did in June 2005. That is over 6,000 more in the last two years. That is 1,073 more doctors, 3,801 more nurses and 1,228 more allied health professionals. We have opened hundreds more beds. In fact, we are funding projects that will open more than 2,500 additional hospital beds between 2006 and 2016 at a cost of $3.6 billion. More clinicians and more beds translates to better and quicker patient care.
We are also building a safer and more transparent health system. We have established a fiercely independent watchdog—the Health Quality and Complaints Commission. We saw its very frank report on safety in hospitals in the last couple of weeks. We have also established a new Office of the Medical Board to help tighten the assessment processes for doctors’ registration.

Queensland Health will not employ any doctor who does not have current registration with the Medical Board. This is proven by the case of Dr Bali which has featured in the media. If anything, this episode proves that the system of checks and balances in place post the Bundaberg Hospital issues is working. Put simply: no registration, no job.

This doctor did not get through our screening processes. An offer was made by Logan Hospital of a temporary junior doctor position. It was always conditional on the doctor having current registration and meeting other Medical Board and Queensland Health requirements. When the Southside Health Service District’s Executive Director of Medical Services, Dr Michael Cleary, found out about the job offer he intervened. He wrote to Dr Bali on 31 August 2007 questioning his registration status and whether he was subject to any investigations. In a further letter of 21 September, Dr Cleary tells Dr Bali very clearly that, pending the outcome of the Health Practitioners Tribunal hearing, he would not be working for Queensland Health. The offer to Dr Bali has been withdrawn following yesterday’s outcome in the tribunal.

As well as several healthy lifestyle campaigns, we are spending more than $150 million over four years towards preventing chronic diseases. Too many people are in our hospital system suffering from diseases that we can and should be preventing. Improving the quality of life for people with chronic diseases and reducing the level of avoidable hospital admissions will continue to be a priority.

We are also building new and better health infrastructure for Queenslanders. Planning for three new tertiary hospitals worth around $3 billion is well advanced. We have recently completed or are undertaking major capital works projects from the Gold Coast to Thursday Island. I am unaware of any jurisdiction in the history of Federation that has ever built three new tertiary hospitals at one time. It is an extraordinary undertaking.

We have an ageing population and increasing levels of chronic disease. A system in crisis would have buckled under this much pressure. Our health system has not buckled. We are treating a record number of patients every year. Sadly, there is one key player that could be doing more. That is the Howard government. By the time the current Australian Health Care Agreement expires next year, the state government will have invested 65c for every single dollar spent on public health services in Queensland while the Commonwealth's contribution will be a miserly 35c.

We are making a lot of progress, but I do want to acknowledge today that there is more to be done. The job is not done yet. We will not resile from this effort until we do see a system that is of the standard we require. The Health Action Plan is the platform for building that better health system for Queensland.

Callide Oxyfuel Project

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.38 am): I am pleased to advise that the Callide Oxyfuel Project has assembled the necessary funding commitments of $206 million to commit to the project. This follows on from the completion of the feasibility study earlier this year and the front-end engineering work now at its final stage.

The Queensland government and the Australian Coal Association have worked closely to finalise the funding after substantial financial commitments have been made by the Queensland government owned CS Energy Corporation, the Australian Coal Association, the Commonwealth government's Low Emissions Technology Demonstration Fund and a large and active consortium including Schlumberger, Xstrata Coal, the Japanese IHI Corporation, JCOAL, J-Power, the CO2CRC and the CRC for Coal and Sustainable Development. Oxyfuel, or oxyfiring, technology involves the combustion of coal using pure oxygen and recirculated flue gas instead of air. What this process does is produce a highly concentrated stream of carbon dioxide gas that can then be more easily captured for transport and storage.

The potential for this technology is that it is capable of being retrofitted to existing fossil fuel plants and thereby significantly reduce greenhouse gas emissions. This project is of strategic importance in securing a low carbon energy future from the state's stationary energy sector and has the strong support of the Clean Coal Council, which was established by the Queensland government in June this year. The next step for the project is to complete the consortium’s detailed joint venture agreements and to finalise plant supply contracts, scheduled for completion in December this year. This oxyfuel project is the first clean coal technology project in Australia of this scale and the first of this maturity. It is the first to proceed to the point of commitment, and I congratulate the consortium for this achievement. The oxyfuel project is scheduled to start in the first quarter of 2008, so clean coal is further on its way to development here in Queensland.
Lexmark Indy

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.40 am): The 2007 Lexmark Indy will roar into action on the Gold Coast this Thursday. The four-day carnival is one of the most successful and popular sporting events in the Southern Hemisphere. It is the 17th year of the event and promises to be one of the biggest and best yet. Ticket sales have been very strong and it is expected that crowds will top 300,000 over the four days of the event—300,000 visitors. V8 supercars and champ cars will headline the entertainment again this year, providing 300-kilometre per hour action on one of the world’s most picturesque street circuits. To keep the crowds entertained, there is also an exciting support program including the all Porsche Carrera Cup, V8 utes and Aussie Racing Car Series. There will be stunt shows, burnout displays, dance routines, drifting, precision driving challenges—

Mr Welford: Fantastic!

Ms BLIGH: Mr Speaker, I am being provoked on my right here. There will be precision driving challenges and driver parade laps. Of course, there is also a full program of off-track entertainment including corporate breakfasts and luncheons, street parades, extreme sport shows, nightclub parties, family days, a gala ball and much more. The government will continue to be a strong supporter of Indy. Our contribution to this year’s event will be $11.4 million. This is money well spent for the exposure that it affords the Gold Coast and our state.

An economic and tourism impact study conducted in 2005 valued the economic impact to the state at a staggering $60 million. As well as the 300,000 who will attend the carnival on the Gold Coast, it will be viewed on television by hundreds of thousands more viewers from all around the world. This event sells Queensland to the world, but it puts the Gold Coast right at the forefront of our world exposure. Amazingly, there have been 16 different winners of the Indy in 16 years. Drivers this year will be keen to break that record, but I will be cheering for Will Power from Team Australia, the first ever Australian owned and sponsored team. Will got poll position last year, and hopefully this year he can go on to win the race. I would be encouraging everybody who has not got their tickets to get in fast to see the best show on wheels in the world, and I look forward to a great Indy in 2007.

Asia-Pacific Screen Awards

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.43 am): I turn now to a different form of culture. I am pleased to inform the House that the international response to the inaugural Asia-Pacific Screen Awards has been very impressive. The awards are an initiative of the Queensland government in association with UNESCO, CNN International and the Paris based International Federation of Film Producers Associations. The awards have been four years in the planning and development by the Queensland Events Corporation, with the inaugural awards to be staged on the Gold Coast next month on 13 November. In time, we hope that what the Oscars are to Hollywood these awards will be to the Gold Coast. More than 100 films from over 30 countries were submitted. These were assessed by an international nominations council which met recently in Brisbane. Of the films entered, 34 have now been nominated in nine categories. The nominees were announced in Singapore on 2 October at a function hosted by CNN International. Nominees in these inaugural awards represent Armenia, Australia, China, Egypt, India, Indonesia, Iran, Iraq, Israel, Japan, Kazakhstan, Kurdistan, Lebanon, Malaysia, the Philippines, the Republic of Korea, the Russian Federation, Sri Lanka and Turkey.

The nominees announcement was received with what organisers are calling outstanding media coverage across the Asia-Pacific, including in some of our most important trade markets of India, China, Japan and the Middle East. Nearly one-third of media articles covering the announcement of the award nominees came out of India, a key business and tourism market for the Gold Coast and Queensland. Already the Gold Coast is fast becoming the hub for film and television events in Australia, but we want to see them go better. These awards introduce a week of national and international film industry activity on the Gold Coast with the annual Screen Producers Association of Australia conference and culminates with the Inside Film Awards—the people’s choice awards for the Australian film industry. These awards are more than an event; they represent a unique opportunity for Queensland to further develop relationships with our neighbours in the Asia-Pacific region.

Andy Warhol Exhibition

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (9.45 am): Finally, but still on culture, I am pleased to advise the House that later this afternoon I will join with the Minister for the Arts at the official launch of a remarkable exhibition that will offer a once-in-a-lifetime opportunity to view the works of pop art icon Andy Warhol. The exhibition at the Gallery of Modern Art is a coup for Queensland. It is Australia’s first major retrospective of Warhol’s works from the 1950s to his death in 1987 and it is exclusive to Brisbane.

Andy Warhol was one of the most important artists of the late 20th century and his exhibition will give Queenslanders and visitors to our state over summer the chance to see firsthand the extraordinary breadth of his career. Put simply, this is Andy Warhol’s greatest hits. It will feature some of the most
instantly familiar artworks in the world—works that defined the pop art movement in the late 20th century, such as iconic portraits of Marilyn Monroe, Jackie Onassis, Elvis and Mao Zedong. Self-portraits and the famous Campbell’s soup cans are among more than 300 works on display at GoMA from December until March next year. The comprehensive exhibition will also feature paintings, drawings, prints, sculptures, photographs, films and installation works. It will also include a rare glimpse of what Andy Warhol called his time capsules. These are cardboard boxes that he filled with eclectic objects and materials that consumed his daily life. These boxes have been sealed and some of them will be opened for this exhibition.

To compile this historic exhibition, works have been sourced from the Andy Warhol Museum in Pittsburgh, the National Gallery of Australia, the National Gallery of Victoria, the Museum of Contemporary Art in Tokyo and from a number of private collectors. The exhibition will run from 8 December to 30 March, coinciding with the first anniversary of the redeveloped cultural centre. This cultural centre redevelopment has been a sensational addition to the cultural infrastructure of Queensland and its visitation has exceeded all expectations. With far from 15 minutes of fame, this exhibition will give us almost 100 days of fame as Australians from around the country will seek to be part of this exhibition. Our government invested $291 million to redevelop this cultural precinct. We are very proud of how quickly it has become part of the cultural, educational and tourism fabric of our state. Prestigious events such as the Andy Warhol exhibition would not have been possible without this investment in this very fine art gallery. It will further enhance Queensland’s growing profile as a significant cultural destination and underline the breadth of experiences that we can offer to visitors to this great state.

Water Restrictions, Level 6

Hon. PT Lucas (Lytton—ALP) (Deputy Premier and Minister for Infrastructure and Planning) (9.48 am): Consultation on the draft package of level 6 water restrictions released by the Queensland Water Commission at the end of last month has now closed. Unlike level 5 restrictions which focused primarily on residential compliance, draft level 6 restrictions focus on achieving greater business sector compliance with water restrictions. The Queensland Water Commission received only 27 formal responses to the proposed level 6 water restrictions. Those 27 responses came from seven councils, one from the south-east Queensland Council of Mayors, six private businesses, two water efficiency assessors, five industry associations, three government agencies and three private citizens.

In comparison, when draft level 5 restrictions were announced the commission received 860 formal submissions. It is clear that the people of south-east Queensland understand that we are in the worst drought on record and have embraced water-saving measures accordingly. Prior to the introduction of restrictions in May 2005, south-east Queensland used more than 900 megalitres of water a day. The average daily use across the south-east last week was 546 megalitres. That result is even more impressive when we realise that over that time south-east Queensland’s population increased by more than 130,000 people to 2.7 million.

Although water restrictions will never be popular, the community understands that during a time like this they are necessary to ensure continued water security. I am pleased to tell the House that the commission advises that formal feedback on the new restrictions has in general been positive. Businesses, industry and government have all expressed support. Most have said that they are pleased to see the commission focused on the clarification and compliance programs around existing restrictions.

I am advised that councils have indicated that they agree with the principles behind level 6 restrictions and say that they are happy to see such things as deadlines for the implementation of WEMP projects. The concerns they raise go to the detail of the implementation of some individual elements and the proposed timing of their introduction.

Councils are clear in their view that households using excessive amounts of water should be reined in. They agree that there should be a consistent program across the region to do this and the QWC’s proposals are designed to ensure consistency. Councils have, however, made suggestions around the implementation process and its timing and these are currently being considered. Industry representatives have told the commission that they are supportive of a benchmark for required water savings based on achieving best practice, or 25 per cent. QWC advises that business groups such as AIG and Commerce Queensland have also indicated that they are generally comfortable with the proposed restrictions while seeking clarification of some details. QWC advises that residents have expressed little concern about the draft level 6 restrictions, including the proposed residential excessive water users compliance program.

The commission is taking all feedback seriously. The commission will now fully consider all submissions received as it finalises the level 6 water restriction package with a view to introducing level 6 restrictions from mid-November.
Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (9.51 am): I am pleased to inform the House of the introduction of Auslan as the language for deaf students in Queensland schools. The introduction of Auslan into Queensland schools means that hundreds of deaf and hearing-impaired students across the state who require signed communication are now being better supported in their learning. In the 2007-08 budget, our government committed $30 million over four years to implement the nationally recognised sign language, Auslan, in our schools. This financial year $5.3 million will be allocated, including almost half a million dollars for non-state schools.

Today, it gives me much pleasure to report on the smooth transition to date in four education regions. Key staff have been appointed in the greater Brisbane, south coast, north Queensland and Sunshine Coast regions to assist with awareness raising, staffing, professional development in bilingual pedagogy and resourcing. Almost 30 teachers and teacher aides from these regions are now being sponsored to undertake the Auslan studies course at Griffith University via videoconferencing and face-to-face tutorials with native speakers. Approximately 100 others are studying short-term courses offered by deaf community organisations in the greater Brisbane, Sunshine Coast and Wide Bay-Burnett regions. Workshops on Auslan linguistics and the use of Auslan in the classroom are underway in Brisbane as well.

Our government has also provided $30,000 for new resources, such as dictionaries, CD ROMs and DVDs in state schools. Within the next two months my department's project manager of the Disability Services support unit will visit the seven remaining education regions to work with regional staff as they determine their local needs for implementation next year.

We know some teachers are already using Auslan and their schools will transition quickly. These teachers will be encouraged to share their expertise with those who are just beginning the process. Children below school age are accessing Auslan support so that their transition into school is as smooth as it can be. While transition can be difficult, I have every confidence that the results we will see will far outweigh these temporary hurdles. It is expected that primary age children will enter secondary school with strong Auslan skills while secondary school students will be better equipped for tertiary studies, work situations and life as active members of the deaf community.

Today I pay tribute to Dr John Enchelmaier, the president, and members of the Queensland Deaf Society and thank them for providing each of us in the parliament with a history of the Queensland Deaf Society book as well as the Handy Facts at Your Fingertips brochure within which there is also an Auslan alphabet, which I will take some time to learn I am sure. We thank them for their assistance and information for us today and wish them well as they attend parliament this week.

Mr SPEAKER: Just before calling the Minister for Emergency Services I say to Minister Welford, the minister for education, that as I stated before members of the deaf community will be here for question time. A number of those members are already in the gallery. You will be pleased to know that we have two Auslan interpreters who have been interpreting your speech today as well. So members in the gallery have been able to listen to what the minister for education has said today.

Smoke Alarms, Hearing-Impaired People

Hon. N ROBERTS (Nudgee—ALP) (Minister for Emergency Services) (9.55 am): In July this year the government made it compulsory for all Queensland homes to have working smoke alarms installed. The basic requirement is that a smoke alarm must be installed on or near the ceiling on each storey of a residence. As this week is National Week of Deaf People, I am very pleased to announce that the Department of Emergency Services is finalising a proposal to financially assist eligible hearing-impaired residents in Queensland to purchase special alarms. The alarms being looked at under the proposal provide an audible alarm as well as strobe lighting and/or vibrating pads that can be placed under a pillow.

In developing these proposals, partnerships have been formed with key community, government and industry representatives to ensure that any recommendations are appropriate to the needs of the target audience. Key research has been undertaken to identify the number of eligible people, the criteria for eligibility, suitable smoke alarm systems, administrative arrangements, installation options and costs.

My officers will meet with the key stakeholders tomorrow—Thursday—to identify ways in which this proposal may be administered. Key stakeholders include Deaf Services Queensland, Disability Services Queensland, Queensland Health, the Department of Housing, the Anti-Discrimination Commission of Queensland, the Commonwealth Office of Hearing Services, the Australian Hearing Services, the Australian Association of the Deaf, Better Hearing Australia and smoke alarm manufacturers.

I would like to thank all of those honourable members who have raised the issue with me. Smoke alarms are an important life-saving initiative and the government has recognised the needs of the hearing-impaired community by developing this proposal.
Queensland Racing

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer) (9.57 am): The future development of racing facilities within the south-east corner of Queensland has long been the subject of debate. I wish to confirm to the House that Queensland Racing Ltd is currently investigating a possible new site for the development of a premier racing venue.

Racing is increasingly a global industry. That requires a higher premium on attracting quality race fields. There is a clear view within the industry that the major facilities within south-east Queensland by and of themselves require attention. Many people have long understood the nature of the racing industry. The unwelcome arrival of equine influenza has demonstrated to many more the reach of the racing industry. It is an industry that generates significant amounts of wealth but has struggled to provide finance for substantial asset redevelopment. In the long run these arrangements require attention by the industry to ensure its future sustainability.

The many people from all parts of the globe who have attended the Magic Millions carnival know firsthand that it is more than a highlight of the racing calendar but a major Queensland event. Equally, they know that it is constrained greatly by the physical characteristics of the Gold Coast Turf Club site at Bundall. Members are also aware that recently the government announced the location of the new Gold Coast Hospital impact upon the current parklands site where harness and greyhound racing are located and where many of our events are undertaken.

Recently I held high-level talks with Queensland Racing Ltd and Magic Millions representatives about the possible redevelopment of the site at Palm Meadows. At the outset I stress that these talks are not aimed at a quick fix. These are early days in this proposal but it has been agreed, and it is also imperative, that we undertake a thorough investigation of the site. The investigation will focus on specific issues, including possible planning and site constraints. It is also critical that any investigation takes a priority look at the area’s conservation and environmental issues. The local member, Di Reilly, has been active on behalf of the local community and these views need to be incorporated into the consideration of the project’s viability.

Queensland Treasury will undertake an independent valuation to ensure that this proposal is feasible as part of the due diligence. The project is being proposed by the industry through Queensland Racing as a commercial project in its own right. Should the due diligence and the full site investigation stack up, options will be considered, including possible financing on commercial terms through the Queensland Treasury Corporation. This is a proposal that will stand or fall on its own merits. From events of the past month we all realise the role that racing plays in the Queensland economy. As the minister responsible for the industry, I am determined that every effort will be made to ensure that the south-east Queensland industry remains successful and sustainable. I look forward to the results of this process.

Dalrymple Bay Third Rail Loop

Hon. RJ MICKEL (Logan—ALP) (Minister for Transport, Trade, Employment and Industrial Relations) (9.59 am): Last year Queensland exported almost $18 billion worth of coal, around one-third of it through Dalrymple Bay Coal Terminal near Mackay. I am pleased to advise that major expansion of Dalrymple Bay is on track and that a third loop and associated terminal works are due to be completed in January 2008. Around $110 million is going into this third rail balloon loop to a new third rail unloader and approach holding tracks. These works also include the extension of the two existing balloon loops, additional holding tracks and other extensive civil works, telecommunications, electrification and signalling.

In tandem with Queensland Rail’s work, the current lessees of the terminal, Babcock & Brown Infrastructure, are investing a massive $1.3 billion to provide a third inloading and outloading stream. This will allow three trains to be simultaneously unloaded and three ships to be loaded. Together, these projects will provide an extra 25 million tonnes per annum of coal export capacity at Dalrymple Bay, taking the port to an annual capacity of 85 million tonnes.

It is worth remembering that the Dalrymple Bay facility is the terminal the federal Treasurer wants to take over. It is the one that comrade Costello wants to nationalise, and why wouldn’t he? All the hard work has been done!

The Goonyella rail system carrying capacity is also being boosted by 24 million tonnes per annum, from 95 million tonnes to 119 million tonnes. This is part of Queensland Rail’s $235 million current committed investment program and will pump up the rail system’s capacity by 25 per cent within the next few months.
Alongside the Dalrymple Bay Coal Terminal third rail loop, key projects include a $31.8 million project to expand the Coppabella Yard, upgrading of Connors Range signalling, and power strengthening at the Mindi Substation. This investment and work on the significant Dalrymple Bay Coal Terminal third rail loop shows that Queensland is serious about its commitment to the coal industry and the more than 18,000 Queenslanders who work in it. I commit to continue the work of this government and, together with the Queensland resources industry, QR and industry, continue to meet the huge demand for our coal and keep one step ahead of the demands of the future.

**Coal Exports**

**Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Mines and Energy) (10.02 am): The Bligh government is committed to a long-term and viable coal industry that plays a key role in addressing the challenges of climate change. We are working hard and striving towards innovative energy solutions. Why? Because coal will continue to play a role in the global electricity generation mix. That is simply because we have over 32 billion tonnes of high-quality, low-cost, coal sufficient to last for more than 200 years.

Reducing global dependence on fossil fuels is not going to happen overnight but, make no mistake, Queensland has its eye on the ball. Today, I am delighted to officially report the latest coal figures. The new figures for 2006-07 show that coal exports rose by more than 10 million tonnes to an all-time record of more than 153 million tonnes. Metallurgical coal exports also increased by more than 10 million tonnes to over 110 million tonnes, which is around 70 per cent of our total coal exports. Thermal coal exports exceeded the 42 million tonnes mark.

Japan continues as our number one customer, taking more than 57 million tonnes for the year. Korea followed with more than 18 million tonnes, then India with over 17 million tonnes. European nations imported more than 27 million tonnes. Other major customers were Taiwan, Brazil and China. Queensland's domestic sales reached more than 26 million tonnes.

More than a $1 billion was received in royalties from coal revenue. Those royalties help build our schools and hospitals, put police on the beat and teachers in our classrooms. The resources boom is also a magnet for jobs and job security. More than 18,000 people were employed in the Queensland coal industry at the end of June last year.

Unprecedented international demand and strong coal prices point towards continued strength and success in the Queensland coal export industry. Coal sales are moving to new record levels with prices for export coal expected to rise and remain strong in 2008.

Eight new mines began producing coal last year and two new mines began construction this year. These new developments reinforce Queensland's reputation as a world leader in the international coal trade. We will maintain the momentum and continue to work with industry and research organisations to develop clean coal technologies and innovative solutions, well exampled by the announcement that the Premier made earlier this morning about CS Energy's oxyfiring project.

When Kogan Creek Power Station is officially opened later this year, it will set a benchmark for the environmental performance of coal-fired power stations. Kogan Creek will generate up to 22 per cent lower greenhouse gas emissions and use one-tenth of the water used by conventional power stations. By investing in clean coal, we are investing in the men and women who work at the coal face. We are investing not only in their future but also in the future of each and every Queenslander.

**Lexmark Indy**

**Hon. JC SPENCE** (Mount Gravatt—ALP) (Minister for Police, Corrective Services and Sport) (10.05 am): With many race fans getting revved up about Indy, it is timely to remember the hard work going on behind the scenes in preparation for the four days and nights of Lexmark Indy 300. With record numbers expected to pour into Surfers Paradise this week, police have a big job ahead of them. Keeping more than 300,000 racegoers safe in an environment of fast cars, alcohol and festivities requires a great deal of work and careful planning. However, our police have plenty of years experience with this particular event and have been planning all year to make sure things run as smoothly as possible.

For the duration of Indy, local officers on the Gold Coast will be supported by officers from the metropolitan north, metropolitan south, southern and north coast regions. Officers are also being brought in from State Crime Operations, Operations Support Command, the Human Resources Division and the Logan Police District. Two police commands have been set up to focus on public safety and alcohol management within the Indy precinct at the northern and southern areas of the track. Additionally, Traffic Command has the responsibility to manage traffic in the area and put in place diversions if required. And it does not stop there.
To ensure the huge crowds expected to pack the precinct do not get out of hand, the Public Safety Response Team is being deployed to the area to assist general duties officers with crowd management. Officers from the Special Emergency Response Team will also be available to provide specialist police capabilities if required. Police have been working closely with Emergency Services personnel, Main Roads, Queensland Transport, Queensland Rail, Liquor Licensing and the Gold Coast City Council to ensure everyone involved in this exciting major event is prepared for the invasion of Indy fans.

There is another group of people who deserve special mention for their efforts preparing for Indy and for the work they are set to do over the next four days. Those people are, of course, the Indy volunteers. Around 1,700 people from all over Australia and the world have volunteered their time and energy to make this event the best ever. Those volunteers will take on roles such as track marshals, media assistants, accreditation staff, corporate hosts, gate officials, fire marshals, grandstand officials, flag marshals, information booth attendants and grid marshals. For 24 of the volunteers, this year’s Indy will in fact be their 16th as they have been on hand to help every year since Indy first came to the Gold Coast in 1991. This is a truly outstanding effort and I have no doubt the dedication of these volunteers, our police officers and the many thousands of other people involved in the Lexmark Indy 300 is going to ensure this year’s Indy is the best Queensland has even seen.

Home WaterWise Rebate Scheme

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (10.10 am): I have great news for Queensland. On 1 July last year this government commenced the Home WaterWise Rebate Scheme which provides rebates to people who purchase water-saving products. Since then the public response to this scheme has been overwhelming. Indeed, it has been the most popular consumer rebate scheme in Queensland’s history, with some 5,000 to 6,000 applications currently being received each week.

Today the scheme has passed another milestone. As of this morning, more than $150 million in rebates has now been paid to the public. The following rebates have now been paid for the following products: 130,829 rainwater tanks at over $128 million; 74,842 four-star washing machines at $15 million; 17,753 dual-flush toilet suites at $2.6 million; 1,851 greywater systems at over $91,000; 13,362 pool covers or rollers at over $2.6 million; 19,321 shower heads at over $464,000; and 12,030 home garden products at over $550,000.

As at 15 October 2007, average processing times for applications entered during the past three months are under 60 calendar days—the scheme’s targeted turnaround period. Due to generous rebates from this government, and to a lesser extent from the Brisbane City Council, every eighth household in the Brisbane City Council area now has a water tank. This is up from one tank for every 20 households only three short years ago.

The huge number of rebates paid reflects Queenslanders determination to fight the worst drought on record. We all know Queenslanders are some of the most efficient water users in the world, but we also are some of the world’s keenest adopters of water-saving products. The Bligh government is working hard to secure south-east Queensland’s water supply through the Water Grid. But we also are taking measures to reduce demand, including through the Home WaterWise Rebate Scheme.

I pay tribute to the staff of the Home WaterWise Rebate Scheme, who are doing all they can to ensure applicants are paid as quickly as possible, including working overtime every weekend. In the last fortnight alone staff members have processed over $1 million in rebates each day on seven successive working days.

Flying Fox Satellite Tracking

Hon. Al McNAMARA (Hervey Bay—ALP) (Minister for Sustainability, Climate Change and Innovation) (10.11 am): A way to reduce the disturbance caused by flying foxes to residential areas may now be in sight. Satellite technology is being used for the first time in Queensland to study flying fox habits in a joint Queensland Parks and Wildlife Service and Griffith University research project. Solar-powered satellite tags were attached today to six adult grey-headed flying foxes to track where they are roosting in the daytime and feeding during the night. This satellite technology will provide invaluable insights into the habits of grey-headed flying foxes, which are a threatened species.

The 12-month research project will inform habitat management and conservation, including enhancing existing camp sites. The project will also assist with management strategies for flying fox camps near residential areas and will help identify alternative camp sites with less impact on residential areas that can be enhanced in order to minimise direct contact between roosting flying foxes and people at home.

The EPA has successfully used satellite transmitters to track the movements of other threatened species, including our turtles—and who can forget Dean the Green—and we look forward to success with this project. The EPA is actively protecting Queensland’s wildlife and the ecosystems in which they live.
Grey-headed flying fox populations have decreased significantly in the past 10 years largely due to the loss of foraging and roosting habitat. It is important to protect the grey-headed flying fox, which feeds on native flowers and fruits, because it plays a vital role in maintaining our biodiversity through seed dispersal and pollination. No flying foxes means no native forests.

Data from the satellite transmitters will be used for habitat modelling and mapping and to assess the availability of habitat. The grey-headed flying fox travels up to 20 kilometres each night and has been known to travel up to 50 kilometres from one camp to another and this satellite technology will enable us to track where they are going.

To protect threatened species such as the grey-headed flying fox, it is important that we understand how they live, how we impact on them and, most importantly, how we can help them to survive. The grey-headed flying fox is one of four species found on mainland Queensland. Others are the spectacled flying fox, the black flying fox and the little red flying fox. Both the grey-headed flying fox and the spectacled flying fox are threatened species and listed as vulnerable under Commonwealth legislation. One can travel in many parts of the world and never see a bird, even in the countryside, let alone wild animals in our cities. The flying foxes are a measure of the health of our environment and we must find better ways to coexist.

Block Voting; Federal Election, Registration to Vote

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (10.14 am): I have read with interest in recent weeks concerns that results on the television program *Australian Idol* are being influenced by alleged block voting by members of church groups. Block voting is an in-built problem with shows of this nature, and similar allegations have been raised in the past about block voting for contestants on *Big Brother*.

These shows are very popular and have regularly topped the ratings in Australia and as a result contestants can have high profiles. Fans of programs such as *Australian Idol, Big Brother and Dancing With the Stars* are encouraged to vote for their favourite performer or contestant to keep them on the show. As the minister responsible for fair trading it is this voting process, where the public can vote either by phone or through SMS, which causes me some concern. The companies producing these programs charge the public for each vote and this means that some members of the community are excluded from voting because they cannot afford it. The question has to be asked: is the opinion of the voting public truly being reflected in the voting results or is only the opinion of those people who can afford to vote being heard? A sensible solution to this problem would be for these programs to allow viewers alternative and free avenues to vote, such as online voting, so members of the public who want to cast a vote without having to pay can do so. This would allow a more accurate reflection of the viewing population to be represented in results.

While these programs target the key 18 to 35 years demographic because of their high disposable income, I am concerned that many of those viewers who are voting are teenagers who may not be able to afford the associated costs. Television networks make millions of dollars through advertising shown while these programs are being televised. Surely they can provide a free voting alternative for those people who cannot afford it.

I do not believe that this is an area where it is appropriate for government to take action. However, I think a truly inclusive approach to getting the best reflection of viewer sentiment would be to allow voting for as many people as possible. I am sure many parents would also appreciate not seeing $5c or more charged for each vote on the phone bill.

While I am on the topic of young people and voting, I would like to remind younger voters that the deadline for their registration to vote in the upcoming federal election is 8 pm tonight. I have been advised that there are possibly more than 250,000 Queenslanders entitled to enrol to vote who have not done so. That is nearly 10,000 voters in each Queensland federal electorate. Any young people who are eligible to enrol but have not yet done so can download a registration form from the Australian Electoral Commission web site, www.aec.gov.au. I understand there are facilities for completed forms to be faxed to AEC divisional offices or scanned and emailed to info@aec.gov.au. The AEC can also be contacted by phoning 132326.

Airport Drive Roundabout

Hon. FW PITT (Mulgrave—ALP) (Minister for Main Roads and Local Government) (10.17 am): The Airport Drive Roundabout has been a source of frustration for motorists for some time, not just for people heading to the airport, but for those wanting to exit the airport in the afternoon peak hours in particular. Congestion had reached a point where on some occasions traffic on the northbound off-ramp was backed up to the Gateway Motorway. Minor accidents were also frequent—some 122 have occurred at the roundabout in the past five years—causing further delays for people using the road network. In its most recent response, the Main Roads Department installed traffic signals, which have been operating at the roundabout since August 27.
Since then more complaints have been received, particularly from motorists travelling west along Airport Drive in the afternoon. As a result, Main Roads staff have monitored signal operations and adjusted timings as required. The introduction of traffic lights has resolved several issues. No accidents have been recorded at the roundabout since signalisation and there has been an improvement in reliability for motorists travelling to the airport. However, traffic leaving the airport is now queuing along Airport Drive.

I am determined to explore all options to resolve this issue. However, turning off the signals is not an option as it would compromise the safety improvements we have already made. We must also remember that the $1.9 billion Gateway Upgrade Project will deliver significant improvements for traffic along Airport Drive in 2009. But I am not prepared to wait that long. The issue needs to be addressed now.

I have asked Main Roads officers to set up a task force to develop short-term actions—up to two years—to reduce existing delays. The terms of reference include: maintaining or improving safety, maintaining or improving the measures aimed at eliminating the queuing of vehicles from the roundabout onto the northbound carriageway of the Gateway Motorway, and maintaining or improving travel times and reliability. The task force will comprise government and non-government members and will meet for the first time tomorrow. It will operate until all short-term options to improve the situation have been considered and either implemented or ruled out. I table a draft terms of reference for the information of members.

Tabled paper: Draft Terms of Reference, undated, by the Department of Main Roads, titled 'A Task Force to Improve Short Term Access into and out of Brisbane Airport precinct'.

While I am on my feet, I must mention the federal Labor opposition’s major announcement this morning about road funding for south-east Queensland. I have just left a media conference with Martin Ferguson, the federal shadow minister for transport and roads, who outlined the impressive scope of federal Labor’s funding package for Brisbane and south-east Queensland. The $2.55 billion works program aims to tackle gridlock in the south-east and includes funding to plan the upgrades of the southern and northern sections of the Gateway Motorway, as well as the implementation of a northern urban corridor. This is the sort of leadership and commitment in relation to transport infrastructure that has been sadly lacking for the past 11 years and further emphasises the need for a change of government on 24 November.

The federal Labor approach is premised entirely on where the road projects are needed. This stands in stark contrast to the pork-barrelling approach of the federal coalition government, which directs funding to where coalition electorates are located—the $2.3 billion Goodna bypass fiasco being a prime example of this.

Palm Island Community Co. Ltd

Hon. LH NELSON-CARR (Mundingburra—ALP) (Minister for Communities, Minister for Disability Services, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Multicultural Affairs, Seniors and Youth) (10.20 am): I am delighted to announce that the Palm Island Community Co. Ltd has been registered by the Australian Securities and Investments Commission. A first for Queensland, it is the result of a partnership between the Queensland government, the Palm Island Aboriginal Shire Council, Palm Island traditional owners and of course the Palm Island community. It is set to become a new model for the delivery of human services in Indigenous communities.

This development also meets the Palm Island Select Committee’s recommendation No. 9, which states ‘appropriate assistance and support is provided to the community to enhance non-government organisations’ service delivery capability’. I congratulate the Palm Island community and the Palm Island Aboriginal Shire Council for the integral role they have played over the last two years in helping to shape the company.

The Palm Island Community Co. Ltd aims to improve the delivery of human services on Palm Island by offering business services to non-government organisations, managing the delivery of a range of social services and providing business advice and support to the community. The company has a robust legal framework to protect stakeholders and it has a skilled board of directors. Board members are Carol Peltola, the chair; Mark Johnston and Rhonda Phillips, the state government nominees; Paul Travis and Jim Petrich, the council nominees; and Allan Palm Island, the traditional owner nominee. A community shareholder nominee is yet to be nominated. The inaugural board meeting will be held in November followed by a community celebration on the island.

This public company has been registered under Corporations Law and is limited by shares and guided by a shareholders’ agreement and constitution. As a new form of organisation, the company could serve as an innovative model to improve service delivery in other communities both across Queensland and around Australia. The company is expected to start operating by the end of the year, with financial support from the Department of Communities for at least its first year. I would like to take this opportunity to thank very much the former minister for communities and Aboriginal and Islander partnerships, Warren Pitt, for his part in pulling this together.
Department of Housing, Water-Saving Devices

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Information and Communication Technology) (10.23 am): Yesterday in this House I spoke of the need for everyone to do their bit to reduce water consumption during the current drought. The Department of Housing is not exempt and is working hard to reduce water consumption in social housing dwellings. The department has already spent $5.2 million retrofitting water flow limiting devices and water-saving shower roses in around 35,000 department owned properties in south-east and south-west Queensland.

The next stage of the Queensland government's home water saving scheme will see the department spend more than $7.9 million to install AAA rated dual-flush cisterns in over 13,000 departmental properties in areas under water restrictions over the next 12 months. A standard existing single-flush toilet cistern uses approximately nine litres of water. The new dual-flush cistern will use six litres of water for the larger flush and three litres for the smaller flush. Q-Build, the Queensland government's maintenance service provider, has been engaged to undertake these installations and will also inspect each property's plumbing fixtures, services and fittings and repair any leaks.

These measures follow other water-saving initiatives, including the introduction of rebates for water tanks for departmental tenants who decide to pay for the installation of tanks themselves, tenant education and direct intervention with high water users. These activities have resulted in a dramatic drop in the number of social housing households using over 800 litres a day. I am advised there has been a 45 per cent reduction in the Brisbane City Council area and a 31 per cent reduction in Logan City Council area since level 5 restrictions were introduced.

This year, the department's annual Garden Awards took on a waterwise theme, encouraging tenants to save water in a number of ways, including planting drought resistant plants and mulching. The awards have attracted over 1,000 entries from across the state and prizes will be awarded during October and November.

As the state's largest landlord, the Department of Housing has a crucial role to play in achieving water-saving targets. The department takes that role seriously and will continue to work with tenants to reduce water consumption.

CONDOLENCE MOTION

Death of Trooper David Pearce

Hon. AM BLIGH (South Brisbane—ALP) (Premier) (10.25 am), by leave, without notice: I move—

That this House pay tribute to Trooper David Pearce who tragically lost his life while serving in Afghanistan by observing a minute's silence. Further, that this House expresses its sincere condolences to Mrs Pearce and her two daughters.

On behalf of the people of Queensland, this morning I wish to pay tribute to Australian Trooper David Pearce, who will be laid to rest at a state funeral in Brisbane this morning. David Pearce died last week in Afghanistan's Oruzgan province where he was proudly serving his country fighting to bring a better life to the Afghan people. He was only the second Australian solder to die on active service since the Vietnam War.

David Pearce was not only a soldier, he was a much loved husband and father and a mate to many. On behalf of this House, I wish to pass on our deepest condolences to his wife, Nicole, and their daughters, Stephanie and Hannah, who were the love and centre of his life. The girls have much grief in front of them, but as they remember him over the years I hope they will be comforted by the kind words spoken by those whose life David touched. Lance Corporal Michael Crossley, who was injured in the blast that killed David, summed up his mate as 'an inspiration to all he met and no words can describe the loss that will be felt by all that had the honour of knowing him'.

Many members of this House would have liked to pay their respects to David at today's state funeral but have been prevented from attending by being here for this parliamentary session—exercising the democracy that we all too often take for granted. With this minute's silence, we all join those at his funeral this morning in paying our respects to the life of David Pearce and to his service to our country.

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (10.27 am): I second the motion that has been moved by the Premier and place on record my condolences on behalf of the members on this side of the House. The words of the Premier have been spoken on behalf of all Queenslanders but more particularly on behalf of every member of this House. We are being represented at the funeral this morning by the Deputy Premier and the Deputy Leader of the Liberal Party. The expression of one minute's silence in this parliament this morning will be an indicator on behalf of all Queenslanders of the feelings that we have towards the family of the young man who tragically lost his life and the gratitude we feel for him and all those who serve overseas on behalf of our community.

Motion agreed to, honourable members standing in silence.
PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE

Reports

Mr HOOLIHAN (Keppel—ALP) (10.29 am): I lay upon the table of the House report No. 75 of the Parliamentary Crime and Misconduct Committee, attaching the report of the Parliamentary Crime and Misconduct Commissioner, Mr Alan MacSporran SC, on his inspection of the CMC’s records regarding surveillance device warrants for the period 1 July 2006 to 30 April 2007.

Tabled paper: Report No.75—A report on the Parliamentary Crime and Misconduct Commissioner’s report on his inspection, pursuant to Section 362 of the Police Powers and Responsibilities Act 2000, of the CMC’s records regarding surveillance device warrants for the period 1 July 2006 to 30 April 2007.

His inspection was conducted pursuant to section 362 of the Police Powers and Responsibilities Act 2000. Upon receipt of Mr MacSporran’s report, the committee had some concerns regarding aspects of the CMC’s records that were disclosed by Mr MacSporran’s inspection.

The committee sought and received a response from the CMC chairperson, Mr Robert Needham. The committee’s report makes reference, as appropriate, to the response of the CMC.

I also lay upon the table of the House a letter from Mr Needham dated 17 July 2007 attaching the CMC’s report for the year to 30 June 2007 on compliance requirements for both assumed identities under section 314(1) of the Police Powers and Responsibilities Act and surveillance devices under section 358(1) of that act.

Tabled paper: Letter, dated 17 July 2007, from Robert Needham, Chairperson Crime and Misconduct Commission to Mr P Hoolihan MP, Chair Parliamentary Crime and Misconduct Committee relating to the annual compliance requirements for assumed identities and surveillance devices.

These activities relate to controlled operations carried out by the CMC in the exercise of its crime function. Following recent amendments to the act, the parliamentary commissioner is required to inspect the CMC’s records at least annually to ascertain the extent of the CMC’s compliance with the controlled operations provisions.

I further lay upon the table of the House a letter dated 17 July 2007 from the chair of the Controlled Operations Committee, currently Mr Needham, who is required to report annually to the committee on the CMC’s controlled operations activity for its misconduct function.

Tabled paper: Letter, dated 17 July 2007, from Robert Needham, Chairperson Crime and Misconduct Commission to Mr P Hoolihan MP, Chair Parliamentary Crime and Misconduct Committee relating the annual compliance requirements for controlled operations.

Mr Needham advises that there are no such activities to report for the year to 30 June 2007.

NOTICE OF MOTION

Health System

Mr LANGBROEK (Surfers Paradise—Lib) (10.31 am): I give notice that I will move—

That this House notes the failures of the Beattie/Bligh governments with regard to elective surgery, specialist outpatients’, emergency departments and failed management systems and applauds the initiative of planning for more community management in hospitals, in contrast to the Federal takeover advocated by Labor.

SPEAKER’S STATEMENT

National Week of Deaf People

Mr SPEAKER: Honourable members, as I stated at the commencement of today’s sitting, this is National Week of Deaf People. Our guests from the Queensland deaf community and interpreters from Deaf Services Queensland are in the public gallery. On your behalf, I would like to welcome them here to Parliament House.

Mr Speaker then welcomed the deaf community using Auslan, Australian sign language—

Mr Horan: You had better tell us what you said.
Mr SPEAKER: I should say—and this will be interpreted as well—the minister for education was talking about Auslan sign language, which I have just used to welcome the members of the deaf community. Some of the members here have asked me to interpret it for them later, and I will do that now. I said, ‘Hello, I welcome the deaf community here to Queensland Parliament House.’

QUESTIONS WITHOUT NOTICE

Crime and Misconduct Commission Investigation

Mr SEENEY (10.33 am): My first question without notice is directed to the Premier. I refer to the Premier’s refusal yesterday to tell the House whether the expanded investigation into the corrupt payments affair involved any former or current member of her government. Can the Premier give us a guarantee today that she will immediately stand aside any cabinet minister, any parliamentary secretary or any committee chair who is or who becomes part of that investigation?

Ms BLIGH: I thank the Leader of the Opposition for the question. I am happy to further clarify my answers that I gave to his and other questions on this matter yesterday. I am not in a position to provide any further details on the documents that I have provided to the CMC, simply because to do so may run the risk of jeopardising its investigation. But I do think it is important for me to put on the record that in relation to other questions that were asked yesterday I am simply unable to answer the questions because I do not know the answers.

I have not received a briefing from the CMC about this investigation, and nor should I. I am not aware of who it is investigating either on this side of the House or that side of the House or outside the House, and nor should I be. I have not received any briefing from the CMC about what it is that the CMC is investigating and who may or may not be involved in those investigations. It would not be appropriate for me to have received such a briefing. I have not received such a briefing, and therefore I am simply not in a position to answer many of the questions that the opposition has either put in this House or put in the public arena. It would be completely inappropriate if I were in such a position. I could, of course, answer some detailed questions about the documents because I have authorised their release, but I do not know what investigations those documents provide any further detail on to the director of the CMC and its investigators.

However, I can say this: when at the appropriate time I am in possession of information that the CMC puts into the public arena, when the CMC advises the public of any matters involving any member of my government, then I will take appropriate action. I do not resile from that for one moment. There is no reason for me to believe that any member of the government is being investigated, but the reality is that it is simply inappropriate for me to have had any further briefing, and I have not. If there is any reason for this investigation, or indeed any other matter where a member of this government has acted inappropriately and requires some action on my part, I will not hesitate to take that action.

Local Government Reform, Scrutiny of Legislation Committee Report

Mr SEENEY: My second question without notice is also directed to the Premier. I refer to the latest report of the Scrutiny of Legislation Committee—report No. 33—which is scathing about the regulation regarding the prosecution of mayors and councillors who dared to support local polls or referendums. The committee has agreed with the Queensland coalition and the Local Government Association that the regulation that the Premier will remember we moved to disallow in this House is ‘arguably invalid at common law and it is inconsistent with or repugnant to the act under which it is made’. Will the Premier now change her cold and heartless approach to Queensland community leaders and remove this absurdity from the statutes of Queensland?

An opposition member interjected.

Mr SPEAKER: Order! The question has been asked, member for Lockyer.

Mr Rickuss: It wasn’t me.

Mr SPEAKER: The three gentlemen at the end there quite often speak much the same. I meant to say the member for Warrego.

Ms BLIGH: It is my understanding that this question goes to a matter that might anticipate debate about a bill that is on the Notice Paper. However, I am happy to answer it very briefly without anticipating the debate to any great extent.

I have seen the Scrutiny of Legislation Committee report that the Leader of the Opposition refers to. I am advised that the minister for local government has sought legal advice on this and that the government remains of the view that the provision is valid. Let me make it absolutely clear. We have already given a commitment that these provisions will not be acted on and will be removed from the statute books.
While there is some material in the Scrutiny of Legislation Committee report that might excite the interest of the opposition, the report is actually about a matter that the government has already indicated will not be acted on and will be removed from the statute books. So I am not going to get too excited about it.

Mr Seeney interjected.  
Mr SPEAKER: Order! Leader of the Opposition, you have asked the question. Let us hear the answer.  
Opposition members interjected.  
Mr Seeney: It is your blunder; fix it up.  
Mr SPEAKER: Order! Members of the opposition, including the Leader of the Opposition, please control yourself and let the Premier answer the question.  
Ms BLIGH: I understand that it was actually the opposition that moved a disallowance motion that would have had the effect of putting the offending provision back in. Another stunning legislative tactic and piece of genius from those opposite.  
The real question here is: do we have any intention of acting on any of these previous provisions? No, we do not. We have given a public commitment that that is the case. It may have entirely escaped the notice of the Leader of the Opposition and his colleagues but, as I understand it, the Australian Electoral Commission is actually in the process of preparing material to conduct plebiscites in local government areas that have sought them. This whole process is rolling out with a fair amount of lacklustre interest from many communities across Queensland.  
I will be interested in seeing the results of those plebiscites. I understand that Dalrymple shire had a postal plebiscite.  
Mr Wallace: Fifty-three per cent response.  
Ms BLIGH: There was a 53 per cent response.  
Mr Hobbs: Eighty per cent.  
Ms BLIGH: They were overwhelming opposed to it. The member is absolutely right, 80 per cent of 50 per cent. It is hardly an overwhelming response. It is true to say—  
Mr Hobbs interjected.  
Mr SPEAKER: Member for Warrego, you consistently and persistently interject with the same interjection. I ask you to desist.  
Ms BLIGH: There are many communities that are getting on with the job of making the best opportunity they can to create a region through the amalgamation of these shires. I commend the transition committees for the work they are doing. I commend the minister for local government for the support he is giving them.  

National Week of Deaf People  
Ms MALE (Auslan—Australian Sign Language): My question without notice is to the Premier. Can the Premier advise the House of state government support for National Week of Deaf People?  
Ms BLIGH (Auslan—Australian Sign Language): I thank the member for the question. I join with the Speaker today in welcoming members of the deaf community here. Can I say to all of the deaf community that it is a great pleasure to have you here.  
I am very pleased to see that the parliament today is welcoming members of the deaf community for National Week of Deaf People. This is a first for the Queensland parliament and I certainly hope that it will become a regular part of our deliberations each and every year. For those members of our community, I say that they are welcome here each and every day but we are particularly delighted to see them here as part of the celebrations of National Week of Deaf People.  
As the minister for education pointed out earlier, this is the first time that interpreters will use Auslan, Australian sign language—the language of the Australian deaf community—to translate question time for guests in the public gallery. We are all making history today but particularly the people in the gallery.  
Our government will commit $30 million over the next four years to transition to the use of Auslan for those students who require or request access to schooling via signed communication. We believe this is an important investment in the education of Queensland’s children. The transition will bring Queensland into line with national and international practice in the area of education for the deaf. The transition process will be implemented over a number of years and will respond to the needs of individual students and school communities. Professional development opportunities will be provided to staff to develop their Auslan skills. Awareness raising and skill development activities will be provided for parents and the wider school community.
Our government, through Disability Services Queensland, funds a range of services that engage the deaf community, including young deaf people. This includes funding to Deaf Services Queensland to provide information services, in-home accommodation support services and a range of other services.

National Week of Deaf People is a week-long national celebration of deaf individuals and the deaf Australian community. It is a unique opportunity for deaf people to celebrate their community, to celebrate their language, to celebrate their culture and to celebrate and to recognise their history. I congratulate those who have been associated with the production of the book that has been put on all of our desks this morning. It is a very interesting and very comprehensive history of the services for deaf people in Queensland and a great contribution to our understanding of the history of the deaf community here in Brisbane and in Queensland. Well done on a very fine publication. I look forward to seeing the further opportunities for government to work with the community in the future.

Shared Service Initiative

Dr FLEGG: My question without notice is to the Treasurer. I refer to the government’s Shared Service Initiative on which to date the government has spent $156 million to achieve savings of $96 million, a loss of $6 million. To achieve this loss of $6 million I note that the government has committed $200 million of capital and 5,000 staff. Does this explain the increasing view around town that the Shared Service Initiative is a lucrative cash cow for private contractors trying to make sense of this debacle?

Mr FRASER: I thank the Leader of the Liberal Party for his question and for his interest in the Shared Service Initiative. What is clear is that when the government embarked upon the Shared Service Initiative it was with a long-term view of making an investment up-front to make gains in the longer term. As anyone would appreciate, in any operation of any size often times it is the case that organisations need to make an up-front investment in order to achieve a dividend in the longer term. Clearly this Shared Service Initiative would fit within that mould.

I do not think that anyone would suggest that this was going to be a task or activity of government that would reap a dividend in the first five minutes of its operation. What we do know about the Shared Service Initiative is that as the business of government becomes more complex, and especially given the backdrop of the way in which the south-east corner is developing and the premium on CBD office space, there is great ability into the future for the way in which the back office—the back end of government operations, if you like—operates to be done more efficiently. That is exactly why the Shared Service Initiative was embarked upon in the first place.

We believe that it will provide for a long-term benefit. This government does not make decisions just about the next five minutes but about a longer time frame. In that regard we believe that our investment in the Shared Service Initiative will in fact be realised to the great benefit in the long term of the way in which government operates in the state.

Can I say in that regard that there is clear alignment between what the government does in terms of its ICT—information and communication technology—buy, and also government accommodation expenses. I am pleased to inform the member for Moggill and Leader of the Liberal Party that the government has seen fit to make sure that, as the Shared Service Initiative is now in a phase where it can start to seek to reap those rewards—responsibility for the Shared Service Initiative lies with my colleague the Leader of the House, Minister for Public Works, Housing and Information and Communication Technology—we seek to acquire the benefits of aligning government accommodation, its ICT buy and its back of office operations. In that regard I think we can all see the synergies that exist between Public Works, ICT and the Shared Service Initiative. I think we can all expect into the future the up-front investment that we have made in the Shared Service Initiative to be very much to the benefit of the Queensland taxpayer.

Northern Pipeline Interconnector

Mrs SULLIVAN: My question without notice is to the Premier. I note the public support of the Leader of the Opposition for the call by the member for Maroochydore for a two-way pump to be immediately fitted to the northern pipeline interconnector. Can the Premier advise of the government’s plans for this pipeline?

Ms BLIGH: I thank the member for the question. I have to say I was pretty astounded by the continued pursuit of this issue by the member for Maroochydore yesterday. I was even more astounded to hear the Leader of the Opposition on the evening news last night backing her proposal 100 per cent.
It is important to outline for the information and interest of members exactly how the northern pipeline interconnector fits in with the grid and the long-term plans for water security on the Sunshine Coast. Firstly, what the water grid does is this, and it is pretty straightforward: it moves water from where it is stored to where it is needed. That means that it moves water from where it is to where it is not.

As the Deputy Premier outlined yesterday, the dams on the Sunshine Coast are currently at 93 per cent capacity in one case and 100 per cent in another—that is, they are full. The dams are full. Here in Brisbane the combined Wivenhoe and Somerset systems are sitting at 20 per cent—that is, close to empty. What those opposite are proposing is for us to put in a pump. The kind of pump we are talking about is not the kind that one operates with their foot to pump up a camping mattress. What we are talking about is a major pumping station that will cost between $140 million and $240 million. What the opposition is putting forward as a serious water policy is that we spend close to $200 million immediately to pump water from an empty dam to a full dam. That is the water policy of those opposite. During the election campaign those opposite went to the people promising dams with no pipes. So what we had first was a no pipe policy. What we have now is a wrong way pipe policy. But it is an evolution: they have at least got to the point of thinking we should have pipes.

What is the long-term proposal for the Sunshine Coast’s water security? Of course the dams are full now. The current predictions are that with population growth the Sunshine Coast’s existing supply may in fact need supplementation around 2015. The Traveston Crossing Dam will be built—if the federal government lets it be built—by 2011, with water coming into the system in 2012. The Traveston Crossing Dam will provide more water for the Sunshine Coast than it could have ever imagined possible. But we are, out of an abundance of caution, making sure that the pipeline we are building can go two ways in the unlikely but possible event that between now and 2012 the federal government gets in the way of the construction of the Traveston Crossing Dam and the current predictions for the Sunshine Coast are not realised. So we will not be spending $200 million that does not need to be spent pumping water from an empty dam to a full dam, and I would caution the Leader of the Opposition against prosecuting such a ridiculous argument.

Gold Coast Desalination Plant

Miss SIMPSON: My question is to the Premier. The Premier’s media release of 9 August claimed that a potential 37 per cent capacity boost of the Gold Coast desalination plant would be funded from savings. Last week she told this House that a potential upgrade of the desalination plant would come at a cost. Does the Premier have any idea what it would cost to upgrade the desalination plant and where is the money coming from?

Ms BLIGH: I thank the member for the question. The press release that I put out in August was accompanied by a ministerial statement to this House in which I explained—but I am happy for the purposes of the shadow minister for infrastructure to explain it again—that the possible upgrade of the desalination plant required two things. Firstly, it required an immediate decision about the size of the intake pipe. It was possible to upgrade the intake pipe so that we could bring in more water than the current treatment plant can treat. That, if I recall rightly, was about a $30 million expenditure that was available within the existing budget and I announced then that we would be increasing the intake pipe in the event that either in the short term, the medium term or the long term we wanted to augment the treatment plant so that we could put more desalinated water into the system. So step 1 was to increase the intake pipe. That is now on track. The larger pipe has been ordered and I think it is well on its way to being installed. The cost difference between the earlier size and the later size is being paid for within the existing budget of the desalination plant, because the constructors were in a position where they made some savings on predicted expenditure and I congratulate them on that. Despite all of the nay-saying from those opposite, the consortia constructing the desalination plant is working on time and in this case under budget.

The decision on whether or not we will put in place the additional capacity to the treatment plant is a decision that will need to be made some time I would believe about February next year on the basis of the rain and water coming into our dams over the summer period. If we see a particularly dry summer period again, we may well be in a position where supplementing that treatment facility makes good economic sense. We are in the current process of costing such an upgrade. We will advise the House when those costings are available. Should we decide to do that, then of course that will have to be considered on the basis of the entire cost of the water grid. There is nothing secret about that. There is no cover-up. It is perfectly sensible planning. It is about getting the best out of the facilities we have.

For those members who have taken the time to visit the desalination plant, they will have seen that there is plenty of room there to build further treatment capacity, but it is that further treatment capacity that will involve significant expenditure. It may well be expenditure that makes sense, but we need to see what the season is over the next couple of months. But we will not be spending money on a pump to pump water from an empty dam to a full dam when we have the capacity such as this one outlined by the member for Maroochydore that might actually put more water where it is needed on the Gold Coast and in the Brisbane area.
State Finances, Coalition Policy

Mr LEE: My question without notice is to the Treasurer. Is the Treasurer aware of any recent statements from the opposition about how it would manage the state’s finances?

Mr FRASER: I thank the member for Indooroopilly for his question. Like some other members of the House, yesterday after question time he might have noticed that the Leader of the Opposition sought to set out a new manifesto about the way in which the opposition would be going forward. It contained a number of new things—one being the latest rhetorical flourishes from the Leader of the Opposition. It also contained, however, the same sort of magic pudding economics that we have seen from consecutive leaders of the opposition in their budget replies over the years—that is, it was a manifesto that said what Queensland really needed was tax reform, greater infrastructure investment and higher services and the way those opposite would do this would be by paying off and bringing forward any borrowings that existed in the budget. So it was, as ever, from the opposition all things to everyone and complete magic pudding economics.

It is worth putting into perspective the level of prudent borrowings that the government is undertaking. The Leader of the Opposition used a figure of $52 billion when he said that this was debt that he would immediately pay off to the benefit of the Queensland public. In fact, I can say to the Leader of the Opposition that across the forward estimates in the general government sector the level of interest expense that this government will be undertaking—what we will be paying to service a prudent level of debt—rises to the massive figure of 3.2 per cent. I think most business owners around Queensland and most mortgage holders in this House would be quite happy if their interest expense on their mortgage reached the massive figure of 3.2 per cent.

But is this a problem for us going forward? No, it is not, because in fact by the end of the forward estimates budgeted net financial worth—that is, our ability to extinguish any borrowings on the spot—remains positive at over $18 billion. So why are we undertaking a level of borrowing? That is the prudent way to invest in infrastructure and to invest in building the platform for future growth, and the suggestion that this government should desist from that is the sort of Shadowlands economics that we have seen from oppositions for a long time in this place. Should those opposite ever have the opportunity to practise their lip-quivering economics on this side of the House, Queenslanders can immediately expect a reduction in the level of services, higher taxes and a complete stall on infrastructure spending.

Do not take my word for it; take the word of what Standard and Poor’s said at the time of assessing the last budget. It said that Queensland’s balance sheet is currently the strongest among Australian states and confirmed that the state could afford increased debt levels to fund the capital program. But what did Access Economics say yesterday? It said that in the longer term it remains very up-beat about the Queensland economy. It said that Queensland comes blessed with a great set of competitive advantages across a wide range of industries and remains a beaut bet for the longer term. What Queenslanders need to know and understand is that should the opposition ever arrive on this side of the House and be in charge of the state’s finances all bets are off.

Mr SPEAKER: Before calling the member for Surfers Paradise, I welcome to the public gallery teachers and students from the Stafford State School Special Education Unit in the electorate of Stafford, which is represented in this House by Mr Stirling Hinchliffe.

Health Services

Mr LANGBROEK: My question without notice is to the honourable the Premier. I table a copy of the allied health vacancy data for the Southern Health Service Area, which shows that 36.4 per cent of all positions vacant are critical, which means that the vacancy will cause the closure of services such as radiography and occupational therapy, and I ask: which areas of critical vacancy have had services closed? What is the Premier’s government doing about this failure to provide services?

Tabled paper: Document, dated 1 August 2007 by Southern Area Health Service titled ‘Allied Health Vacancy Data’.

Ms BLIGH: I thank the member for the question. The member was obviously not listening this morning when I outlined to the House the progress that is being made in relation to the Health Action Plan. We make no secret of the fact that finding people with the right qualifications to fill vacancies not only in the area outlined by the member but right across Queensland is no easy task. One of the reasons it is a difficult task is the woeful lack of investment by the Howard government for more than a decade in increasing the number of places in our universities in the health faculties, whether it is doctors, whether it is nurses, or whether it is allied health professionals. I was at university with the member for Surfers Paradise. He should know that roughly until last year, I think, or the year before the same number of dentists and doctors were being trained by the Howard government as there were the year it came into power.
We cannot put people into these facilities and into these positions who do not have the qualifications that are required to do the job. We can be very aggressive about our recruitment campaigns right across Australia. We can be very aggressive about our recruitment campaigns in other parts of the world. In relation to those recruitment campaigns all we have from the opposition has been constant undermining and constant criticism. But, in fact, they are starting to see returns and we are starting to see people come to Queensland to be part of our health system. Members heard me outline some of that this morning—a staggering 6,000 or so additional clinicians in the last two years.

Do we have more to do? Of course we do. But it is not a lack of funding and it is not a lack of investment that is creating these problems. These are vacancies. That is what the member outlined: vacancies. That means that the positions exist and it means that the positions are funded. It means that we are having trouble getting people to fill the positions.

I have to say that some of the antics in the last month or six weeks from the federal Liberal Party in relation to clinical positions in Queensland have not helped us on the world map. It is a very competitive environment. Some of the best paid people in the world now are headhunters for the medical workforce. They are headhunting highly specialised, highly skilled people—whether they are doctors, nurses, or allied health professionals.

We need a bipartisan approach both nationally and at the state level in the interests of our hospitals and in the interests of patients so that we can be out there selling what Queensland has to offer. Working in Queensland is a great experience. Moving your family here, living here and growing up here is a great experience. Our health system is one of the best in the world and we are putting more money into investing in it to make it even better. But having people who want to pull it down all the time will only serve to create more difficulties.

**Prisons, Cable TV and Broadband Connections**

**Mrs ATTWOOD:** My question is to the Minister for Police, Corrective Services and Sport. Can the minister tell us whether there is any truth in the claims, as shown in a press release put out by the opposition yesterday, that there is cable TV and broadband connections in our state's prisons?

**Ms SPENCE:** I can confirm that there has never been, nor will there ever be, any prisoner access to Foxtel or to the internet in our prisons. In fact, I am very confident that the opposition will never successfully mount an argument that under my stewardship of Queensland prisons entertainment access has increased. One of the first decisions I made on becoming prisons minister was to instruct the department to remove all Playstations and privately owned computers in our prisons. I did that for a number of reasons, which I do not have time to go into today. But we saw the likes of Brendon Abbott complaining when I made those decisions. So rather than increase prisoners' access to entertainment, over the past 3½ years we have seen that decrease. That will certainly be the policy while I continue to be the minister.

Obviously, the Leader of the Opposition was sold a pup yesterday by the member for Burnett when he asked that embarrassing question. But it got worse, because later in the day at a media conference the Leader of the Opposition gave the media the information behind his accusations. What was that information? An article in *Corrections News* and the Corrections policy on computer usage. It was embarrassing and all the media were embarrassed for the Leader of the Opposition yesterday.

I say to the Leader of the Opposition to stop listening to the member for Burnett, because every day he continues to get it wrong. I was trying to think of the top five bloopers by the member for Burnett, but there are just so many that it is hard to confine myself to five. But I will give it a go. In November 2006 the member for Burnett wrote to me claiming that no nurse would be on duty that weekend at the Capricornia Correctional Centre. He went to the media with that allegation. All I did was phone the prison and find out that that was wrong. In February this year the member claimed in a media release that I refused to supply enough cars to our police officers. I have never, ever knocked back a single request from the police for police cars or other kinds of vehicles. In March this year, the member for Burnett claimed that Maryborough prison officers were subjected daily to violence and were being shot at. There has never been a prison officer shot at at Maryborough prison. We have never even found a gun on a prisoner at Maryborough prison. Even last Thursday in this House—and I do not know where this can end—the member for Burnett said that the majority of all prison bashings and numerous deaths are linked directly to marijuana and the ease of supply of marijuana in our prisons. I ask members to think about that. Would marijuana be your drug of choice in prison? If you did not want drugs to be detected on you, would you use marijuana? Is marijuana the kind of drug that is likely to lead to prison bashings? It was a ridiculous statement.

Time expired.
Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Information and Communication Technology) (11.07 am): I move—

That the minister be further heard.

Division: Question put—that the minister be further heard.


NOES, 28—Copeland, Cripps, Cunningham, Dempsey, Elmes, Flegg, Foley, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, Menkens, Messenger, Nicholls, Pratt, Seeney, Simpson, Springborg, Stevens, Stuckey. Tellers: Rickuss, Dickson

Resolved in the affirmative.

Ms SPENCE: I am not surprised that members of the opposition do not want me to continue to talk about the member for Burnett. Only yesterday he made history by becoming the first member of the Queensland parliament to have the parliament reject his explanatory notes on the basis that they were unparliamentary and embarrassing. Indeed, he is an embarrassment.

The issue here is scrutiny and the opposition does not want any scrutiny of the member for Burnett. Everyday or every second day this member of parliament puts out a media release or writes a letter to the editor, which go into the public domain but get no scrutiny. In this chamber I do not have the time to scrutinise every bit of nonsense that he puts out on a daily basis. As I said this morning, I was trying to limit myself to five bloopers and that was very difficult. I could not get through five in the three minutes that I had, and I apologise for that. This member does need some scrutiny.

Mr Schwarten: He needs counselling.

Ms SPENCE: He does need some counselling. The fifth blooper is his nonsense about the new prison uniforms. He is down on having new prison uniforms for the first time in 30 years. He does not like to give prisoners new uniforms. He is claiming that they are black, and again he is wrong. They will be khaki, green and blue. On the back will be written ‘prison issue’, so they will be clearly recognised as prison uniforms.

In a couple of months we will open Sir David Longland prison, which is currently being rebuilt. For five days the prison will be open to members of the general public so that they can go through the prison and make a judgement for themselves about how prisoners are treated in this state. Personally I am very proud of the fact that we have a prison system that focuses on rehabilitation, that provides educational services for our prisoners, that provides programs for our prisoners, that provides work for our prisoners and at the end of the day that does its very best to stop them reoffending. It does that in a humane and a fair manner. Members of the general public will have the opportunity to walk through Sir David Longland and see that prison for themselves.

One of the things that the member for Burnett has taken to doing is writing at the end of these letters, ‘if ever I become the police minister’. It is the dreamings of a delusional man.

Local Government Reform

Ms LEE LONG: My question is to the Premier. On her recent visit to far-north Queensland when she met with the Cairns Chamber of Commerce and spoke on talk-back radio, she said that the government would ensure that no new regional council that has been forced to amalgamate will be worse off financially because of the costs involved in the transition process. The Tablelands Transition Committee has been given cost estimates that changes to its IT and communications network alone will cost in the vicinity of $2.7 million, yet the government has committed a mere $780,000 in total for this amalgamation process. I ask: will the Premier keep her word and provide significantly more funding to the Tablelands Transition Committee and the new council elected in March next year, or will she expect ratepayers to pick up the significant tab?

Ms BLIGH: I thank the member for the question. Before I answer it, I draw the attention of those in the gallery to the fact that this morning I said that they were making history just by being here. They have also just witnessed some interesting parliamentary history.

In this parliament it is not an unusual occurrence for the opposition to call a division during its own question time. It is, however, without precedent anywhere else in the country or in most Westminster parliaments in the world. It is an unbelievable but regular occurrence because, of course, as our visitors have seen, calling a division takes up quite a bit of time. To call a division in one’s own question time removes the opportunity for a member of the opposition to ask the government a further question. It is a remarkable parliamentary tactic that is right up there with all of the other genius that we see from them day after day. It is a unique feature of the Queensland parliament and our visitors have been able to see it.

Mr Cripps: Why don’t you answer the question?
Ms BLIGH: I am very happy to answer the question from the member. She is right: that issue was raised with me when I was in far-north Queensland. As I have indicated to other councils, we will work with them through the transition to ensure that the costs have been managed. We have made an allocation in the vicinity of $26 million, I think, in the initial phase to ensure that this can be managed.

Every council will have its own list of claims and the minister for local government will be working through those claims with them. Clearly if we bring, for example, five or six—or three or four—different IT systems into one single IT system, over time there will be savings and those savings will accrue to the council to deliver back to services. That is what the amalgamation process is all about.

I can only say to the member that if this specific council has an issue that it believes requires the further attention of the minister for local government, I would encourage its representatives to talk to him. As the member knows, the minister for local government comes from that part of the world and I believe he would be only too happy to sit down and talk with them about the issues that are of concern to them.

The member does point to a very strong reason why we have gone down this path, which is that over time there will be significant savings to be made by those councils which they can reinvest in services and opportunities for the ratepayers of their region. I know that there is some angst out there. I know that these are difficult things to secure in communities. I understand that people will always be a little disconcerted by change. However, I think that the transition committees are doing a good job and I thank them for their work. I ask every member of the House to work with those committees to really create a great opportunity for their regions.

**Mackay, Road Projects**

Ms JARRATT: My question is to the Minister for Main Roads and Local Government. Could the minister give the House an outline of the Queensland government funded road projects being planned for the Mackay area and how this level of funding compares with the Howard government’s commitments to the same area?

Mr PITI: I thank the member for the question. I acknowledge her strong commitment to securing good outcomes for the Mackay-Whitsunday region. The region is on the threshold of a major surge in road construction. During the next five years the Queensland government will spend $276 million on roads in the Mackay region, with several significant projects about to start. Among these is the $33.6 million project to replace the Hospital Bridge across the Pioneer River in Mackay. This project starts next week and is due to finish in April 2009. It will provide a modern alternative to the old, flood-prone bridge that currently exists.

Another substantial bridge project is the $75 million replacement of the Forgan Bridge, which is due to commence in January next year. This project will significantly improve the cross-river traffic capacity for Mackay and alleviate the congestion that the city is now experiencing.

Also due to start this month is the $14 million Joint Levee Road, which will remove heavy vehicles from residential areas by providing a better route to Mackay Harbour from the Bruce Highway and improve flood immunity in residential areas of North Mackay. There is the final stage of the $22 million Mackay-Bucasia Road project. That is a 2006 election commitment that started last month. Last Friday I announced the next stage of a major planning study for the Walkerston community, which outlines four options for public comment.

In the next five years the Queensland government will spend $75 million on the Peak Downs Highway to improve safety. This work will involve extra overtaking lanes, road widening and safety improvements. I must acknowledge the hard work of the Hon. Tim Mulherin, the member for Mackay, and the member for Whitsunday in securing these upgrades and improvements for their electorates, which will also benefit all motorists who travel the Bruce Highway.

In contrast to this massive program of state funded works, the federal government has allocated just $9.3 million for the Mackay area in 2007-08. Not only does this figure pale into insignificance against the state’s commitment, it represents only a fraction of the $60 million that the federal government is expected to collect from Mackay motorists in fuel excise revenue this financial year. When people in that region want to know why their roads are not the way that they should be, they should go to the federal government and ask for some of their fuel excise to be returned. While the Queensland government is pressing ahead with providing much-needed infrastructure for our regional areas, the federal government continues its woeful record.

Mr SPEAKER: The member for Gympie is to be congratulated on his continued efforts to promote the interests of the Queensland deaf community and, in particular, for making all of us here at Parliament House more aware of the issues faced by deaf individuals.

I also take this opportunity to congratulate the member for Glass House who has worked with the member for Gympie in a bipartisan way. When they came to see me, it very much fitted in with my policy in regard to engagement with the people of Queensland. I thank the member for Gympie in that regard.
Auslan Interpreters, Police Interviews

Mr GIBSON (Auslan—Australian Sign Language): What the Premier may not have realised is that the division gave the interpreters a break, which I am sure they desperately needed after an hour of interpreting.

My question is to the Minister for Police, Corrective Services and Sport. In my electorate last month the police had occasion to interview a 15-year-old boy on a matter. His mother, who is deaf, also came to the interview. She asked the police if they could organise for a deaf interpreter to be present so that she would understand what was being said. The police told her that unfortunately there were no funds for an Auslan interpreter. Embarrassed, she asked her neighbour to come to the interview to write notes so that she would understand what was occurring.

Minister, why won’t your government provide sufficient funds so that interpreters for police interviews are available at all times as required? Does the minister accept that by failing to properly fund the Police Service for interpreters she is forcing our police to be in breach of the Anti-Discrimination Act?

Ms SPENCE: I am very happy to answer that question. It is the policy of the Police Service to make sure that appropriate adult assistance is given to juveniles. I certainly believe that we should be providing deaf interpreters when they are required. I will certainly look at the budget of the North Coast region to find out why it was claimed that there was no money for that purpose. I believe we should be setting aside money for interpreters when required. I am happy to get back to the member on that issue.

Moreton Bay Marine Park Zoning Plan

Mr WEIGHTMAN: My question is to the Minister for Sustainability, Climate Change and Innovation. There has been a lot of publicity recently about the various claims and counterclaims in relation to future access for fishers and boaters to Moreton Bay. Can the minister confirm the state government’s position in developing the draft Moreton Bay Marine Park Zoning Plan?

Mr McNAMARA: I thank the member for Cleveland for the question and also for his strong and very regular representations on behalf of his constituents on this issue. My office manager pointed out, as she was looking at the office rent budget, that perhaps we should try to allocate a bit of it to the member for Cleveland, so often has he been in my office on this issue since I have taken up this job.

The Moreton Bay Marine Park is a vital piece of Queensland’s recreational and commercial infrastructure. It is absolutely critical for activities such as fishing, boating and tourism. It is an internationally significant marine environment with more than 750 species of fish and 120 species of coral. Best of all, it is right on Brisbane’s doorstep. It is a wonderful recreational asset.

Let me say at the outset that professional and recreational fishers and boaters will not be locked out of the bay by this process. I am concerned about the level of misinformation that is being circulated about the review process. Recreational fishers will always have access to Moreton Bay; most popular fishing spots as a result of the marine park zoning review. People will always be able to wet a line from jetties, rock walls, marinas and other popular fishing spots.

The aim of the review is to regulate the sustainable use of the marine park for now and for future generations. Obviously, there are competing interests in the park which will need to be balanced. That is the job of the review. It has been going very well with a lot of good, open and responsible representations being received. Consultation has been exhaustive and is still ongoing.

An independent scientific expert panel has recommended that a minimum of 10 per cent of each of the 16 habitat types within the park be protected in no-take areas. That will obviously be taken into serious consideration as a draft plan is put together. Currently, less than one per cent of Moreton Bay is protected, and that is obviously inadequate. The next stage of the process will be the release of a draft plan in the near future which will be open for further public comment. The review is about the sustainability of the bay for both the environment and the users of the bay. It is about ensuring the best possible shape is maintained not just for now but to pass on to future generations.

Department of Child Safety, Commercial Accommodation

Mrs STUCKEY: My question without notice is to the Minister for Child Safety. The department’s practice manual states—

As a last resort a child can be placed in commercial accommodation for a period not exceeding 96 hours in rural and remote regions, and 72 hours in urban regions ... a possible two day extension can be approved by the zonal director. Any extension beyond this will require the approval of the Executive Director ...

My office has been alerted to cases where children are spending up to six months in commercial accommodation. Clearly the department has failed these children. What course of action will the minister undertake to stop children being placed in commercial accommodation for such unacceptably long periods?
Mrs KEECH: I thank the member for the question, and I too welcome the deaf community to Parliament House. I am particularly pleased to receive the question as my first question as Minister for Child Safety. In travelling around this state, there have been several things I have been incredibly impressed with. One of those is the very hardworking staff we have in our 48 child safety offices who do an absolutely tremendous job, along with those staff members in our central office. Another thing that has impressed me is the partnership arrangements we have with not only our 3,200 foster-carers but also the other NGOs who support our children in care. It is in that respect that the member has asked the question. I can say that I am very proud of the 110 recommendations that the CMC report requested for the department to deliver on.

Mrs Stuckey: What about children in care? You are not answering the question at all, Minister.

Mr SPEAKER: I ask the member for Currumbin to act with a bit of decorum. You have asked a very important question.

Mr Schwarten interjected.

Mr SPEAKER: I ask the Leader of the House to withdraw that unparliamentary comment.

Mr Schwarten: I withdraw it.

Mrs KEECH: Thank you, Mr Speaker, for your protection against the very rude interruptions. When it comes to partnerships, I do recognise the excellent work of our NGOs and many of those do support out-of-care placements for children, particularly those in their teenage years. In particular, I recently visited the after hours child safety centre where on occasions the police may alert the department that they are in need of assistance with the placement of children. When children cannot be placed immediately with a foster-carer—and this may be at three or four in the morning—we need to place them in emergency circumstances and that may be out-of-home placements, for example, in a motel or other short-term locations.

Mrs Stuckey: You're sticking them in motels for six months.

Mr SPEAKER: I warn the member for Currumbin under standing order 253.

Mrs KEECH: The comments that the shadow member is making are misleading. It is in very, very rare circumstances where there are very lengthy—

Mrs STUCKEY: I rise on a point of order, Mr Speaker. I find the minister's comments offensive and I ask her to withdraw. I was not misleading.

Mrs KEECH: I withdraw. It is very, very rare that children would be placed in circumstances such as the member has referred to. It is very rare indeed. The department has very clear policies with respect to prioritising the safety of children and that is exactly what we are doing.

Mr SPEAKER: That completes question time.

PRIVATE MEMBERS’ STATEMENTS

Equine Influenza, Melbourne Cup Race Meetings

Mr HORAN (Toowoomba South—NPA) (11.33 am): One of the most iconic sporting events in Australia is the Melbourne Cup and the Melbourne Cup race meetings throughout Queensland. Due to equine influenza, we will not have race meetings on Melbourne Cup day in the red zone in south-east Queensland at Eagle Farm, the Gold Coast, the Sunshine Coast, Ipswich and Toowoomba. But now Melbourne Cup race day meetings have been cancelled in the green zones in the state at Rockhampton, Townsville, Home Hill, Bundaberg, Charleville, Gladstone, Kumba, Mount Isa, Longreach, Richmond and Thangool. We will have TAB coverage and Melbourne Cup rate meetings at Mackay and Cairns.

I understand very well the difficult task that Queensland Racing has to provide funds for the equine influenza problem and also for the future rebuilding of racing in Queensland. It has saved millions of dollars through the cancelled race meetings and the reduced prize money at all tracks, and that money will be used for those two causes. Country race clubs in Queensland have undergone enormous sacrifices. Clubs like Thangool, Bowen and Gladstone have had meetings cancelled so more horses can go to places like Rockhampton, for example, because the TAB meetings in the state now are in those major regional coastal areas, and turnover is important. But on this one most important and iconic day in Australia, surely we could have a heart and allow those country race clubs to have their particular race days.

I know why they are trying to cancel them. It is so that on the following Saturday they can have reasonable fields and volumes for the TAB meetings that will be in the major centres, but we should allow them to have their Melbourne Cup races. I call on the minister for racing, who does have oversight of racing despite the limited powers under the act now, to speak with Queensland Racing and see if these communities for this one day can have their very, very important community Melbourne Cup race day restored.

Time expired.
Sexism in Politics

Ms BARRY (Aspley—ALP) (11.35 am): Who said that misogyny is dead? Certainly not while John Howard and men like Ian Crossland, the Nationals candidate for Leichhardt, are around. Yes, even in this enlightened age, it is possible for me to be shocked at the degree to which sexism is alive on the conservative side of politics. Mr Crossland, in making his amazing remarks about politics not being a job for a lady, can only be following the lead of John Howard who, in announcing the return of nurse training to the good old days of hospital training, demonstrated his paternalism and ignorance of the female dominated profession of nursing. It is nothing more than a cynical devaluation of a nurse’s work and an ignorance of the skills that a modern nurse needs.

I quote an email response to Mr Howard’s proposal by a nurse called Mandy on the ABC blog, and I could not have said it better myself. Mandy said—

This is all about the government being too mean to want to fund university places for nurses. Will they also put teachers back into teachers college—I don’t think so. Nurses are viewed by all governments as expensive and not of value. To keep expecting us to work for nothing is arrogant. They are quite happy to fund teachers and reduce their class sizes, but refuse to reduce our patient loads.

Health care and nursing has changed over the last thirty years and to think that we can go back is misguided. It’s the governments plan to dumb down nursing, get us to pay for our own education, pay us menial wages with no hope of ever earning enough to pay off the fees.

I trained under the old system, and wouldn’t wish it on anybody. It was slave labour then, and it will be slave labour again.

Notice how they pick on a female dominated profession. It’s discriminatory and harassing.

All I can say to Mandy is: ‘I’m with you girl. Go girl.’

Shared Service Initiative

Dr FLEGG (Moggill—Lib) (11.37 am): The government’s Shared Service Initiative is a basket case. It is a black hole down which we are pouring public money. We have applied 5,000 staff and $200 million of public capital to date in order to make a $60 million loss. Importantly, the future targets set for this program have been abandoned. We heard the Treasurer here today floundering when he attempted to say anything positive about this at all.

Imagine the distraction of management time and resources on establishing something of this magnitude—which would equate to one of the major Queensland based corporations—simply to find that it is losing money hand over fist. It should not surprise anyone here that the Service Delivery and Performance Commission was absolutely damning of this huge waste of taxpayers’ money. The commission said that the shared service provider’s endeavours were not being driven by the basics of the business case. It said there were no benchmarks and that they did not even know what was expected of them. It went on to say—

The risk with this approach is that the savings may in fact come from reductions in client services rather than from efficiency gains.

That should not come as news to Queenslanders, because that is where the cuts always come under this government. It found that positions get left vacant. If five per cent of the positions are left vacant, $10 million can be saved, but sadly when positions are left vacant, much-needed services in health, education and so forth are not delivered. The commission went on to say that there is limited documentation to verify the amount of actual savings that are made. So even the savings that contribute to keeping this loss—

Time expired.

Federal Election Campaign

Mr MOORHEAD (Waterford—ALP) (11.39 am): I always encourage our nation’s political leaders to come to Beenleigh and meet the people of my electorate. It is important that the people who want to run the country know what is important in our community. But the people of Beenleigh are rightly cynical at this last-minute, last-ditch attempt to get votes by the Prime Minister in the face of an election. Mr Howard has not been to Beenleigh in some years. The last time he came to Beenleigh was in 2001. And guess what? That, too, was just before a federal election where the federal seat of Forde was on the line with just a five per cent margin. John Howard must be worried about losing Forde, not generally considered a marginal seat, if he has once again come to town. His job has been made even harder as the Nationals and the Liberals slug it out for the conservative vote in the seat, although I am yet to see either the National or the Liberal candidate come north of the Logan River.

Mr Lawlor: You’re lucky.

Mr MOORHEAD: I am lucky. I take that interjection from the member for Southport. If Mr Howard was expecting adulation or a warm welcome, he might have been surprised. The front page of our local paper, the Albert and Logan News, not only suggested that Mr Howard is obviously worried about the federal seat of Forde but had photos of local residents showing their concern about dental services in our area and showing them directly to him. They should be concerned. As a community that is home to many pension recipients, Beenleigh has suffered by the decision of the federal government to axe the Commonwealth dental program in 1996. While Queensland has moved to fill the gap, dental waiting lists continue to grow due to the neglect of the federal government.
CRIMINAL CODE (PROTECTING SCHOOL STUDENTS AND MEMBERS OF STAFF FROM ASSAULTS) AMENDMENT BILL

First Reading

Mr COPELAND (Cunningham—NPA) (11.41 am): I present a bill for an act to amend the Criminal Code. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Mr COPELAND (Cunningham—NPA) (11.41 am): I move—

That the bill be now read a second time.

Today I introduce a bill to protect students and teachers from violence and threats of violence whilst on school grounds. This bill creates the new offence of assault on school grounds, gives teachers and students increased protection, and allows police to conduct investigations into violence in schools.

The coalition has long maintained a policy of protecting teachers and students in the sanctity of school. Education should be a place free from the threat of violence or intimidation, and this bill sends a very clear message that any form of violence or intimidation committed against a teacher or a student on school grounds will be dealt with swiftly with the full backing of the law. Police statistics show that 732 assaults were reported within educational facilities in the 2005-06 year. This figure was almost double the number of reported assaults on public transport and in health facilities. In fact, educational facilities had the highest number of assaults of any institutional setting.

These disturbing figures clearly highlight that more needs to be done to address violence within school grounds. We must send a clear message to the community that violence and threats of violence on school grounds will not be tolerated. That is the intention of this bill. This zero tolerance approach is applicable to students as well as teachers. Young people and teachers deserve to be protected from violence, particularly in an environment considered to be safe, comfortable and established specifically to allow students to learn and to develop.

I seek leave to have the remainder of my speech incorporated in Hansard.

Leave granted.

Recently, reports of violence in schools—particularly organised fight clubs—have escalated to a frightening and, arguably, unprecedented level. This Bill aims to address this worrying trend.

There is strong evidence from New South Wales that such a legislative response has been effective as part of a broader approach to addressing youth violence.

Penalties for offences addressed in this Bill need to be unique and varied. They can and will include community service and probationary services to deal with developmental issues.

Schools already have a policy of conducting an integrated risk management assessment, which includes requiring visitors to report to administration. The suite of offences contained in this Bill compliments these initiatives and will go a long way to ensuring maximum safety in the State’s education system.

It is important to note that this Bill is not about sending young people to prison. It is about ensuring that breaches of law are dealt with and given the significant attention they deserve. It is also about ensuring that our young and our teachers are protected whilst on school grounds, and that physical safety concerns do not jeopardise the learning and development of Queensland students.

I commend the Bill to the House.

Debate, on motion of Mr Mulherin, adjourned.

PRIVATE MEMBERS’ STATEMENTS

African Refugees

Mr FINN (Yeerongpilly—ALP) (11.43 am): The vast majority of the African community in my area have come to Australia as refugees. Many have spent most of their lives living in refugee camps where conditions are a struggle, they have been victims of persecution and trauma, and most have family members who are missing. When I speak with refugees in my community, they thank me for the opportunities Australia has provided them with. They tell me that I should be proud of my country’s humanitarian aid programs, and they often talk to me about how they can repay the Australian people.

All members in the House would be aware of recent negative comments by some federal government members regarding the African community. I do not see any value in engaging in a debate with these federal members who simply seek to perpetuate their ill-motivated claims. I think it is enough that I say that I do not agree with them.
African refugees have been settling in my local suburbs of Annerley and Moorooka in the main for about the last five years. I often speak with long-term residents about how the local area has changed during that time. Just recently I spent some time with some local businesspeople who have been in Moorooka for all of this period, and some of the things they tell me include: there are so many more people in our shopping areas now and using our local parks and gardens; there are many more shops and viable businesses in the Moorooka shopping strip now; and there has been a noticeable decline in crime in the Moorooka shopping strip and walking the strip is much safer.

Like the overwhelming majority of Australians, African people are industrious, friendly and law abiding. The only exhausting aspects I find of their culture is their energy, their passion and their sporting abilities. I thank the residents of Moorooka and the surrounds for their acceptance of these new members of our community, for embracing the vibrancy of the cultural diversity they bring, and for helping them both to cope with the effects of past trauma and also to learn the particular set of survival skills required to participate fully in the Australian way of life.

CORONERS AND BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL

First Reading

Mr LANGBROEK (Surfers Paradise—Lib) (11.45 am): I present a bill for an act to amend the Coroners Act 2003 and the Births, Deaths and Marriages Registration Act 2003. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Mr LANGBROEK (Surfers Paradise—Lib) (11.46 am): I move—

That the bill be now read a second time.

The Coroners and Births, Deaths and Marriages Registration Amendment Bill 2007 seeks to amend the Coroners Act 2003 and the Births, Deaths and Marriages Act 2003 in order to implement a number of recommendations of the Queensland Public Hospitals Commission of Inquiry report by the Hon. Geoffrey Davies. The objective of the bill is to improve the integrity and reporting practices of deaths that occur within the perioperative period following an elective health procedure, pursuant to recommendation No. 7.50 of the Davies report.

The Davies commission of inquiry arose out of complaints relating to Dr Jayant Patel at Bundaberg Base Hospital in 2004 and early 2005. Jayant Patel has been linked to the deaths of up to 17 former patients at Bundaberg Base Hospital and is facing extradition on 16 charges, including multiple charges of manslaughter and grievous bodily harm.

In spite of the unexpected nature of the deaths of Patel’s former patients, only two deaths were reported to the Coroner under the Coroners Act 2003. Ten of the deaths linked to Dr Patel occurred within 30 days of an elective procedure carried out by him. It seems likely that none of these deaths were reasonably expected outcomes of the relevant procedure. In light of the time, I seek leave to have the remainder of my speech incorporated in Hansard.

Leave granted.

The current Act requires referral in any case where death was not a reasonably expected outcome of a health procedure. It was identified in the Davies Report that doctors may be able to circumvent the requirements of the Coroners Act by falsifying death certificates in order to avoid scrutiny. Under the current Births, Deaths and Marriages Registration Act 2003, a death certificate can only be issued if the doctor is ‘able to form an opinion as to the probable cause of death’. Where a cause of death certificate cannot be issued the death becomes subject to the coronial system.

The Davies Report identified loopholes in the current laws, which can allow senior doctors to instruct junior doctors to certify the cause of death based on false and/or misleading opinion, thus evading the examination of the Coroner. Under the current Act doctors may also falsely certify the cause of death without the imposition of referring it to the Coroner.

The problem with the current reporting system is that it is dependent upon a doctor correctly identifying deaths which should be reported and then notifying a coroner of those deaths. As Davies submitted, this gives rise to the risk of concealment of medical error or negligence or, more seriously, crime or other wrongdoing. As the referring doctor is likely to come under investigation the law as it stands acts as a disincentive for doctors to report unexpected or suspicious deaths.

The Davies standard seeks to reduce the opportunity for the misuse of codes of conduct by introducing an objective standard upon which deaths are referred to the coroner. The bill mandates all deaths which occur within the peri-operative period of an elective health procedure where death was not a reasonably expected outcome be subject to investigation by the coroner.

The bill seeks to establish an objective standard by which deaths are referred to the Coroner for investigation by expanding the definition of ‘reportable death’ for the purposes of reporting deaths to the coroner under section 7 of the Coroners Act 2003. The addition of a new subparagraph to the section 8 definition of a reportable death mandates all deaths that happen within 30 days of an elective health procedure be referred to the State Coroner.
An elective health procedure is defined in the bill as a surgical operation that can be delayed for a period of 24 hours without death being a likely outcome of the delay.

'The requirement that all deaths happening within a certain period of time following an elective health procedure are reportable, removes the dependence presently placed upon a single doctor to decide whether a death was reasonably expected.'

The aim of the bill is to improve reporting practices of deaths which occur in hospitals or within 30 days of an elective surgery operation to ensure all reportable deaths are referred to and investigated by the coroner, thus strengthening the integrity of the health system. I commend the bill to the House.

Debate, on motion of Mr Shine, adjourned.

PRIVATE MEMBERS’ STATEMENTS

Flexible Learning

Mrs SCOTT (Woodridge—ALP) (11.47 am): An amazing transformation is underway at Centre Education in Kingston, our flexible learning centre. With 75 or so students, this is a highly specialised school for young people who have difficulty in fitting into mainstream schools. Many have poor literacy and numeracy and often find the material used in learning to read of little interest to them. Imagine a young person of 16 learning from a primary school reading book. Not cool at all. And so it was that some of the young people suggested they could write better books than those they were using. Thus the project was underway.

Two teachers—Linda Houston and Cassie Benjamin—helped the students explore the possibilities and plan all aspects of the project: designing the format, creating a business name, designing a logo, taking pictures for the books and writing text. I visited the school two weeks ago and the results are simply superb. They have now produced nine wonderful reading books under the title ‘ByUs4Us’. The books are divided into three levels of learning—bronce, silver and gold—and include titles such as Josh and Peter’s Deadly Cars, At the Beach, Justin and Hercules, A Horsey Tale, and Eli Working Out.

While the books are wonderful, and now many other students are lining up to become authors and photographers, the effect that this project has had on the students is simply remarkable. They have grown together as a team, supporting and encouraging one another, they have ideas springing out of their heads, they have spoken at business luncheons, they have spoken to car yard dealers seeking permission to photograph their cars, and they have learned skills in photography and writing. They are now conducting business meetings and exploring the idea of marketing these books to other schools nationally and even internationally.

It seems that the sky is the limit. Nothing is impossible when young people, even marginalised young people, are inspired. This project will change lives and inspire others. I congratulate all of these young people and the teachers who support them. I have the books and application forms available.

Freshwater Species Conservation Centre

Mr FOLEY (Maryborough—Ind) (11.49 am): I would firstly like to thank the people of Brisbane for using far less water these days than used to be the case. We acknowledge that one of the things that has happened as a result of the recent dry is that people have become much more aware of the need to save water and use recycling and desalination. Obviously we cannot look at just one aspect of the picture and concentrate on that. Adapting to a climate in a very dry continent requires a multifaceted approach.

I notice that last week the Premier announced the establishment of the $35 million Freshwater Species Conservation Centre to study the Mary River cod, the Queensland lungfish and the Mary River turtle. I hope the Premier is prepared to acknowledge that people would see this as a cynical PR exercise. In fact, the best way to protect the natural marine environment is not to fiddle around with it in the first place.

Many centres, including Maryborough and the Sunshine Coast, have ample water supplies and have the infrastructure in place. We have had industrial users using drinking quality water for so long. Obviously some structural changes need to be made at the consumption end. I have spoken many times in this House about the screaming need for houses to have rainwater tanks. When I was a kid every house had a tank. That was the water that we drank. I would urge the Premier to take the lead and forget the Traveston Dam and concentrate on the other factors.

Redcliffe Seafood Festival

Ms van LITSENBURG (Redcliffe—ALP) (11.51 am): At the weekend Scarborough held its new look seafood festival. It was bigger than ever with a long list of sponsors including: Queensland Events, the EPA, Remax Dynasty, Village Motors, the Australian Prawn Farmers Association, Queensland Seafood Marketers Association, Complete Hire, Ashley Printers, Redcliffe City Council, the Redcliffe and Bayside Herald and Morgan's Seafood.
Redcliffe's community spirit leapt to the fore again with its huge number of volunteers helping the organising committee headed by Donna Browne and the Queensland Seafood Industry Association. Many sponsors also rolled up their sleeves and volunteered, such as Mark Andrews gamely running the mud crab races. This is the epitome of Redcliffe.

This ensured there was a smorgasbord of entertainment, rides, educational activities, a range of Queensland wines, a variety of local businesses and community groups such as the Coast Guard and the Lions, as well as enough succulent Moreton Bay seafood to satisfy the heartiest appetites.

This festival is one of four premier festivals in Redcliffe, including the Festival of Sails, Kite Fest, the First Settlement Festival and the Powerboat Racing Festival, on our calendar. The Bligh Labor government supports festivals because it is aware of the place they have in our local economies, bringing in extra dollars for local businesses and assisting the tourist industry.

Queensland Events has committed more than $8.9 million, funding 420 events through the Queensland Regional Development Program, because the government is aware of the importance of a vibrant economy. The results speak for themselves.

Time expired.

Public Transport

Mr NICHOLLS (Clayfield—Lib) (11.54 am): What is happening with public transport in south-east Queensland? This is increasingly the question being asked by commuters as they suffer yet another train cancellation, as they struggle to find space on overcrowded trains and as they wonder whether they are going to get to work on time or home to see their kids and families.

Now we have the debacle of the new electronic smartcard ticketing system. What do we know about this system? We know it has cost a lot—at least $134 million. We know it is four years late. We know there are two trials underway. We know the government does not want to tell anyone too much about how it will work.

What we do not know is this: why is the government not revealing details of how the ticket will work? There are some questions that need to be answered. Will the new smartcard be available at as many places as the current paper tickets, including newsagencies? Why are 10-trip tickets being dropped? Will they be dropped in the biggest commuter market of Brisbane? How will this so-called frequent traveller discount work? Will there be a daily fare cap? Will the discounts be the equal of the current weekly and monthly discounts? Can the minister guarantee no commuter will be worse off under the smartcard system? How long will paper tickets remain available after the smartcard is introduced? Will fares for paper tickets be increased to drive people to the smartcard? How will penalty fares be calculated? How can it be challenged?

The government has failed to answer these questions on numerous occasions over the past couple of months. What do the commuters of south-east Queensland say? Up to 82 per cent of them in a recent *Courier-Mail* blog said that public transport leaves much to be desired. Only four out of 84 responses said that it was not too bad. What did they say? They said—

At a time when our roads are congested on a daily basis what a clever idea to get people to use public transport by increasing fares.

What about this one from Anna of Dutton Park—

The only way this electronic system will be taken up and not be seen to be the overbudgeted, overpriced, overrated debacle that it is is to have electronic tickets at considerable discounts to normal prices. No-one in their right mind would use it otherwise. Yet another ALP bungle up there with hospitals, water, infrastructure et cetera.

The minister must come clean and reveal the answers to these questions.

Time expired.

Western Corridor Recycled Water Pipeline

Ms PALASZCZUK (Inala—ALP) (11.56 am): Now for something positive. I am pleased to report that construction and community consultation in relation to the western corridor recycled water pipeline are proceeding well. A few months ago the member for Mount Ommaney and I were fortunate enough to view firsthand the Tyco pipes that were being stored at Wacol. They covered the size of at least football fields. Once again I remind the House that these Tyco pipes are manufactured locally in my electorate.

This pipeline will link waste water treatment plants at Oxley, Wacol and Goodna to the new advanced water treatment plant at Bundamba. This project will also involve the construction of new pump stations at Oxley, Wacol and Goodna. It is anticipated that this work will be completed by the middle of next year. This work is now well underway with over three kilometres of pipeline having been laid and pipeline construction occurring at Wacol and Wolston roads. Microtunnelling activities have commenced at the Oxley Station Road, Wacol Road and the Centenary Highway crossings.
I am now advised that the second stage of the pipeline is due to progress from Bundamba through to Luggage Point. This pipeline will go through parts of Camira, Carol Park and Ellen Grove in my electorate. It will cover some 70 kilometres. Next week the community engagement team will take local environmental groups and me out to Ellen Grove to look at the route the pipeline will take.

Yesterday, the community relations team ran a successful community engagement session at Camira State School. The community engagement team is so keen to get their message out there that I also ran into them at the Darra street party festival on Friday night. Two weeks ago they accompanied Dr Wallis from the Richlands history group on site to ensure that a significant historical site at Wacol will not be adversely impacted on during the construction phase.

I would like to commend the community engagement team that not only keeps me informed of developments but also keeps the community at large informed about the progress of the western corridor recycled water pipeline. I am also encouraged by the fact that the team is trying its utmost to minimise disruption to people in the construction phase by personally visiting them. The Western Corridor Recycled Water Project is the largest recycled water scheme to be constructed in Australia and will be the largest project of its kind in the Southern Hemisphere. It clearly shows the government’s commitment to securing the water supply to south-east Queensland.

**Queensland Workplaces**

**Miss SIMPSON** (Maroochydore—NPA) (Deputy Leader of the Opposition) (11.58 am): Better infrastructure and a smarter way of using it are the answers to many of the current and future growth management issues in south-east Queensland. While the primary focus of government should still be on delivering better roads and public transport, the state Liberal-National coalition believes government must also lead the way with its own workforce by supporting more flexibility in where and when they work, with the benefits being to reduce peak hour traffic and travel times, to improve people’s lifestyle and to reduce greenhouse gas emissions. With traffic congestion worsening and commuters spending more time stuck in their cars travelling to and from work, it is time we carefully considered how our workplaces operate now and into the future. A year ago the Riverside Expressway was closed and many workers showed that they were willing to change their travelling practices and working hours.

However, sustaining telecommuting—or green commuting—and more flexible work arrangements requires ongoing support with IT systems, leadership in the workforce and best practice communication rostering practices to ensure continuity of service to the public. There is ample evidence that there are significant benefits for government and the wider community if this occurs and such practices are no longer treated as soft issues but core business with strategic advantages. I refer to the *Sensis Insights teleworking report* of June 2000, the Australian Telework Advisory Committee report of 2006 and the University of Bradford’s sustainable teleworking 2004 report in terms of a number of the benefits that those reports encountered and suggestions to make this achievable.

As one of the largest employers, state government has the opportunity to significantly and positively affect peak hour movements given that there are about 24,000 public servants in the Brisbane CBD, or about 11 per cent of the CBD workforce. Not all jobs will suit these practices, but why not give workers whose jobs are suitable a choice and the support? Of course this has benefits for the private workforce as well.

Time expired.

**29th Australasian Police Basketball Championships**

**Mr BOMBOLAS** (Chatsworth—ALP) (12.00 pm): Last Friday night I had the honour of representing the Minister for Police, Corrective Services and Sport at the awards night for the 29th Australasian Police Basketball Championships which were held at Auchenflower Stadium here in Brisbane from 7 to 12 October. That night we celebrated the achievements of teams from New Zealand, Western Australia, South Australia, Victoria, New South Wales, the Australian Federal Police and of course the hosts, Queensland. Some 230 participants including players, coaches, managers and support staff took part in a week-long tournament which was intense on and off the court, including many visits to the Regatta Hotel. Queensland women had their most successful tournament in a number of years, finishing sixth. Queensland 1 men played in the grand final against New South Wales, going down 85 to 66. Queensland 2 men lost its grand final against South Australia 1, 77 to 74. The women’s final saw New South Wales defeat Victoria 55 to 52.

Next year the 30th Australasian Police Basketball Championships head west. The tournament will be run from 5 to 10 October, with participants staying in Perth while the games will be played at Cockburn Stadium in Fremantle. Queensland will again be aiming for a strong touring party of two men’s teams and one women’s team, building on the strong platform forged over the past five years. I congratulate all of the players and staff involved and their families who missed them over that week-long tournament and the officials in charge, of course, and those officers in charge of stations who juggled rosters to accommodate our basketballing constabulary.
CAPE YORK PENINSULA HERITAGE BILL

Second Reading

Resumed from 7 June (see p. 1965).

Mr JOHNSON (Gregory—NPA) (12.02 pm): It is with pleasure that I rise to deliver the opposition’s contribution to the Cape York Peninsula Heritage Bill, because it is a landmark piece of legislation. I apologise to the House that the Leader of the Opposition is tied up with other business at the moment and cannot participate at this point of the debate, but he will make a contribution to debate on this bill later in the day. This is a landmark piece of legislation in more ways than one because it identifies with what Indigenous people have been endeavouring to achieve over a long period of time.

I draw the House’s attention to a ministerial statement made in the House by the Premier in the last few days in relation to Cape York welfare reform. One aspect of reform that the Premier alluded to was to build local capacity to make sure that there are real opportunities for employment and economic development, and that is one of the prime factors of this legislation. For too long too many people from too many walks of life have been critical of Indigenous people in this state for reasons that they are probably ignorant of. This is our opportunity to rectify that, and I congratulate the government on making this become a reality. There will be some hiccups as we go through the transformation stage, and I will canvass those issues as I put forward the opposition’s case this afternoon.

One of the most important factors is that this legislation recognises that land tenure negotiations have been successfully completed with many of the traditional owners and a number of properties in the Peninsula region—Marina Plains, Kalpowar, Archer Point, Dowlings Range and Melsony—have had their official handover ceremonies with the traditional owners, and these historic occasions have recognised the natural and cultural heritage values of Cape York Peninsula with a shared commitment to their protection. Something that many people are not observant of is just how caring and how connected Indigenous people are with the land and their spiritual connection with the land as well as their heritage connection with the land.

Many times we have witnessed Indigenous people move from their communities to live in regional centres like Cairns, Townsville, Rockhampton and even Brisbane. Those dislodged Indigenous people virtually become society dropouts because they have been disconnected from where they come from. As a western Queenslander, my heart and soul is in western Queensland. I am connected to that dry, arid land of the west. Indigenous people who were born and bred in that region over many years also have a connection to that land. It is the same with the people in Cape York and any other part of this state. They have that connection. This legislation is about giving back that connection to those Indigenous people and giving them the opportunity to prove their worth in terms of developing these areas.

There has been consultation with the Conservation Council, environmental groups, AgForce and the list goes on. There was also consultation with the Indigenous Cape York partnership group. This legislation reflects the agreement reached by government with representatives of the Cape York Land Council and Balkanu, the Wilderness Society, the Australian Conservation Foundation and AgForce. All parties are very optimistic in saying that the agreement strikes the right balance. As we progress this we have to be aware that if the balance is not right we have to make it right. There were issues in relation to the wild rivers legislation. Many Indigenous people were offside with that because it did not strike the right balance. I note that the government has brought it back in order to create an environment where it does strike the right balance. The Minister for Natural Resources and Water will be one of the shareholding ministers responsible for this legislation in conjunction with the minister for the environment. In that regard, he has to make sure that this works and goes forward, embraces Indigenous people and gives them purpose and the opportunity to prove to the outside world that they can be the proper productive and economic custodians of Cape York and can make it work in an environmental and economic way.

Noel Pearson has said that those Indigenous people will be able to increase their opportunities in terms of land rights with this historic land use agreement for Cape York. Noel Pearson has come under a lot of criticism of late, but sometimes you have to be cruel to be kind. My father always used to say to me that sometimes you have to be cruel to be kind to get the message through. Noel Pearson is an educated man and a man who is passionate about getting definite and positive outcomes for his people. Whilst he has probably stood on many toes as he goes about his business, a lot of people are now connecting with what Noel Pearson has been saying and are getting on with the job of saying, ‘Enough is enough.’ It is a fantastic achievement for us to witness young people like Tania Major, the Young Australian of the Year, making their mark in leadership roles. One only has to look at Rugby League and sporting events right around this nation to see that young Indigenous people are not only playing a leading role but are champion players in their respective fields. This is another way we can connect these people and take them forward.
This morning in the House I heard the minister for Indigenous affairs make reference to the Palm Island working agreement in relation to the business of Palm Island. I was proud to be part of that Palm Island Select Committee. We all know that there is a long way to go, but criticism is not going to fix the issue. We have to go out there and be positive about the changes and make absolutely certain that we are doing the right thing by the people in question and are going forward, not looking back. We certainly do not want our prisons filled with people who have not been objective and who are not reaching outcomes that the Indigenous people themselves want. I think that this Cape York agreement is certainly going to be beneficial in making certain now that we see these people go forward.

The legislation also arises from difficulties that arose out of the wild rivers legislation. This legislation now provides for the joint management of Cape York's national parks by the government and the traditional owners. I think the wild rivers legislation was an absolute frustration. It was a denigration of what Indigenous people were trying to achieve. They were trying to get genuine involvement and genuine connection so that they could manage that part of the world and achieve outcomes. This legislation will protect native title. It provides for mandatory water allocations for Indigenous communities in each of the catchments that are affected by the wild rivers declaration.

Importantly, under this legislation Indigenous communities will be able to make application for vegetation clearing on Aboriginal land for the purpose of sustainable aquaculture, animal husbandry and agriculture. This is something that the Indigenous people have been able to do ever since time immemorial. It has been only since the white settlement in this country that livestock industries have grown. Members do not need me to tell them that that part of Queensland up at Cape York has some of the best cattle breeding country in the world, as is demonstrated by the percentage of calving rates in that area. That is why it is sought-after country. I believe that this is about black and white working together to make certain that we can make this a productive area. I know that AgForce is very dedicated and very committed. I see the Minister for Primary Industries and Fisheries in the House. I believe that the personnel from his department can be very active and very involved in advisory roles, too, in conjunction with personnel from the department of the minister for natural resources, to get the genuine outcome that we need for these people to progress.

I do not know about the other members in this House, but I am sick and tired of the criticism of black people—that they are useless and hopeless and that they have no hope at all of making it. That is only ignorance on the part of those people who want to keep on putting them down. They have been a very integral part of my life. I grew up with them and I understand them fully. None of us can help who our parents are. But by God there is something that we have in common and that is the blood that runs in our veins. I think it is very important that we recognise that we are trying to go forward with these people as one. With our multiculturalism, in another 100 years time or 150 years time there will probably not be such a thing as a white man in this country. We have the integration of races, mixed marriages and all of those sorts of things. That shows that we are a multicultural society. We are moving forward and we are trying to embrace those disenfranchised people in our state and nation. I think this is opportune legislation by which to do precisely that.

Over a long period people have wanted to have a go—whether that is through education, better health services, or better management practices. This is what it is all about. In the past I have been critical of the CDEP—the Commonwealth's employment program. Although in the past those programs probably had good input, they are certainly outdated. They are virtually just a work for the dole type of scheme, which I do not like to have in those areas, because it virtually makes a mockery of those people. Whilst those people might work on the CDEP program for only one or two days a week to get a few dollars—whether that goes to their families, or whatever they do with it—it has given them no purpose. I think that this legislation will give people that purpose.

The wild rivers legislation put in place a planning regime that restricted, prohibited and controlled development in areas which may not be individual river catchments. The issue here is the admission that that legislation was so restrictive that the Indigenous people in the area could not operate under its red tape. So it has to be wound back. I have to say that one of the most important functions of this legislation—and I raised this issue in the briefing that we had this morning—is to make certain that these advisory committees have the correct structure. I know that the minister for natural resources, the minister for Indigenous affairs and the minister for the environment are going to be responsible for the setting up of that advisory group and also for the setting up of that scientific group. I think it is very important that we recognise that that advisory group is not stacked with people who are not going to further the cause.

I say to the minister for natural resources that at least half of the membership of that group must comprise representatives of the Indigenous people of Cape York. As part of that advisory group there must also be at least two representatives who have conservation interests, two representatives of pastoralists in the region and at least one representative from the tourism, mining activities and local government in the region. It is very important that we get the mix right. If we do not get the mix right, that advisory group is not going to work. What I mean by that is, again, we do not want to see red tape strangle and isolate these people again and confine them to the pit of misery because the government is standing over them.
The same can be said for the make-up of the scientific and cultural advisory committee. I have just come from a briefing by Adrian Jeffreys from the Premier’s department and Damien McGreevey, but I could not stay because this legislation was brought on for debate. But some of my colleagues remained at that briefing and will probably enlarge on this issue during their contributions. The one issue I want to talk about here is the scientific investigation into the taking of crocodile eggs for their sale by Indigenous people. I believe this is an opportunity for them. There is an incubator at Edward River which can process eggs.

As Mr Damien McGreevey said a while ago, one of the main problems we have with the growth in the numbers of crocodiles and the breeding of crocodiles is that, with flooding and feral pigs, or whatever, the eggs can be destroyed. I think we have to look at the ways and means by which these people can grow the business of harvesting crocodile eggs for it to be of economic or commercial gain. We have to work in unison with those people at Edward River and also with those people who will be undertaking those scientific studies. At that briefing a member of the opposition asked about the two-year time frame for the study. Will that time be extended? When will the time expire? It could be 15 years before we get the results of the study. I ask the minister to elaborate on that in his summary, because I think it is a very important aspect of this legislation.

I want to touch again on the issue of the World Heritage listing of the area. I made mention of this issue in the briefing today. Although this area is of international conservation significance, I have to say that the state government does not have the power to have this area World Heritage listed; the federal government has that power. The real issue is that this legislation could be the start of World Heritage listing of this part of the peninsula. That concerns me somewhat. I would like the minister to elaborate on that in his summary—if he does it, or if the Premier does it. The important fact is that we saw what happened up in the tablelands area in far-north Queensland with the World Heritage listing of the Wet Tropics area where the timber industry, with third- and fourth-generation timber cutters, was shut down. But in this situation we are talking about Indigenous people and pastoral interests that are applicable to that part of Queensland. The issue is about looking after and maintaining those interests.

I notice that the minister for the environment is in the chamber. I think an important factor is to make certain that these people are able to manage this area properly. Are they going to be given the tools to be able to manage the spread of noxious weeds and feral animals such as wild pigs? We all know about the wild pigs in the far north. The peninsula is absolutely shock-a-block full of wild pigs. Officials have estimated that there could be something like 22 million wild pigs in Queensland. We have just had a scare with equine influenza. Please God we will never have a similar scare with foot-and-mouth disease in this country, because if that happened that part of Queensland, as well as the coast, would be rendered absolutely null and void overnight. We could not control such an outbreak unless we totally eliminate the feral animals in question. I ask the minister for his assurance that these people will be given the right tools to manage noxious weeds, non-native plants and feral animals in this part of the world.

We have witnessed something similar in relation to state national parks. A few years ago it was the government’s strategy to take the rangers out of the national parks, and now it is putting them back. It is very important that rangers work in conjunction with the pastoral industry. They must work in an absolutely unified way toward the common goal of productivity and genuine outcomes for the land, but first and foremost they must manage the environment. That is what we are all about and that is certainly what the legislation is about. I cannot stress enough the importance of such an approach to that part of the world.

The minister for natural resources comes from the far north and no doubt the minister for the environment has travelled up there and also seen this area first-hand. It is very difficult country to manage. However, these people are conversing with it. They understand the land because they have been born and bred to it. They know all about it. It is important that we make sure that there are no impediments for growth and productivity.

I go back to what the Premier said in the House a few days ago about Cape York welfare reform. This legislation gives the government the opportunity to implement those reforms and I will be watching very closely to see how they are implemented, nurtured and developed. I have mentioned Noel Pearson and his desire to develop the Cape York Institute. His proposal presents a real chance to work in partnership with communities to meet challenges and changes. We have to make certain that the right people work in unison and that Indigenous and non-Indigenous people work together to achieve the outcomes that we need.

AgForce has been consulted and I have spoken with its representatives. They have reservations about a couple of issues. I will canvass those when we discuss issues relating to the proper management of the land. For example, when a 50-year lease is up a 75-year lease may be signed. That is a good aspect of the legislation, although probably not too many members of the House will be around in 75 years time to find out what happens then. If we are going to put these types of lease agreements in place, they have to be sustainable and binding so that people know that they can progress in their own economic environment without being subjected to Big Brother looking over their shoulder and beggaring up the process at its embryonic stage.
I feel that the legislation will assist this part of the world to become more productive. As I said, the peninsular and gulf regions of Queensland are probably some of the best cattle breeding country in Australia.

Mr Rickuss: And pigs.

Mr JOHNSON: I take that interjection from the honourable member for Lockyer; it does breed good pigs. The Tablelands is very productive country. The land can produce anything at all. It is very fertile land. It does not seem to be subjected to the ongoing droughts that we cop in this part of Queensland. There always seems to be plenty of water in free-running rivers and so on. That makes it even more of a paradise for agricultural needs.

However, I urge the government to progress this with caution. We have some reservations about the management of crocodiles for scientific purposes. If there is a hidden agenda there it should be brought out into the open. It is not enough to say that we are progressing things. Today department staff gave a briefing on this, and I suggest that they look at areas such as Shady Camp in the Northern Territory. There could be 3,000 crocodiles out in the open on the banks at Shady Camp. There are in plague proportion there and they need an elimination program, as they do at Oenpelli, Nhulunbuy and all of those places right through the Top End. It is the same at the top end of Queensland. Today one of the Premier’s advisers said that this is happening because of the growth in the cane industry, et cetera. We have seen a movement in the crocodile population from Cairns south to Mackay.

I accept that people have done investigations into this topic, but at the same time I cannot see that a great deal of difference will be made to crocodiles on the east coast of the peninsular compared to those on the west coast of the peninsular. Those crocodiles live in a pristine environment, away from any interference from farming et cetera. They live in a natural environment. We have to make certain that a great deal of difference will be made to crocodiles on the east coast of the peninsular compared to income.

Another important aspect of the legislation is the rewards that will flow to the pastoral industry for protecting their properties that have World Heritage values. I say to the two shareholding ministers that the pastoral industry is to be congratulated for the way that it is managing the environment. Over the last few years the industry has shown how committed it is to land care. We live in a very fragile environment, whether it be Cape York, western Queensland, central Queensland or coastal Queensland. We have to manage the environment at its base and look at what happens in those areas. We have to consider the impact of a transfer of ownership on the Cape York grazing industry. We have to take that into account too. That is a very important aspect of what we are saying.

This legislation also creates an environment for the joint management of the national park by the Cape York Indigenous people or the Aboriginals. The bill also designates areas within Aboriginal land that are suitable for agriculture and primary production. The most important thing is that the Aboriginals themselves will be rangers in this land. This is about Indigenous people training themselves to manage and look after their own land and their own environment. They then teach the younger generations what it is all about, giving them worth and purpose.

You cannot take people from one environment and put them into another environment if they do not want to be there. These people are naturals in their own environment. They are born hunters and they are born athletes. We have to give them the opportunity to progress in that area. It is an area of Queensland that has been rendered virtually unusable over a long period. It has had no true worth because in many ways it has been shut down. Now we will see some rewards as a result of this legislation.

I urge the government to cast a keen eye over this legislation as it is implemented. We all know that the wild rivers legislation was rushed into the parliament and quite a few of the facts were kept from the people. The Indigenous people were not happy with what happened with some aspects of that legislation, and it was brought back to the House for amendment.

These people are not stupid. They know what is going on. So if there are hiccups or flaws in this piece of legislation I urge the two ministers to bring them out in the open and deal with them in a proper and responsible way. That way we will not have any impediments in place that will put back by two or three years the progress and the development we are trying to achieve here.

In conclusion, I urge the ministers to make absolutely certain that people with commitment who are dedicated to the cause of making this happen are selected to be on these scientific and regional advisory committees. We do not want do-gooders on those committees. For too long we have seen people get into the area of Indigenous issues who we find out down the track did not know what they were talking about. I know for a fact, through talking to these people in the far north one-on-one and through talking to their councils, that they are feeling disenfranchised in relation to local government amalgamations. They feel like they have lost control of what was rightfully theirs in relation to local government. It is about time we started to respect and understand that we are trying to give them back what is rightfully theirs. This is an opportunity to do that.
We will be watching this very closely as it is implemented. The real issue is to make certain that we take these people with us and that we give them the opportunity to prove that they can do it. We know that they can do it and we know that we will be able to get the outcomes we have been trying to get for a long, long while. It is not only applicable to Cape York but also applicable to Indigenous communities in the gulf and in other places around our state. Progress with our Indigenous communities is under the spotlight and is the focus of national and international people. This is a landmark decision in Queensland that proves that we are going forward and giving them an opportunity to get onto the same stage as non-Indigenous Australia in relation to such developments.

Mr RICKUSS (Lockyer—NPA) (12.31 pm): I support what the member for Gregory said in his speech. My speech will be a lot shorter than the member for Gregory’s. I believe that the changes made in the Cape York Peninsula Heritage Bill are for the better, particularly in relation to wild rivers legislation. It was highlighted back in 2005 that it was unworkable. Indigenous people have agreed that it is fully unworkable.

Mr O’Brien: Why did you vote for it?
Mr RICKUSS: We didn’t.
Mr O’Brien: You did vote for it.
Mr RICKUSS: Do you want to check the votes?
Mr O’Brien: Yes, I will check. You were here. Did you vote for it?
Mr RICKUSS: No.
Mr O’Brien: You are not sure now.
Mr RICKUSS: I don’t think I did. I spoke against it, anyway.
Mr Finn: You spoke against it and voted for it.
Mr RICKUSS: I don’t know whether I did. I was recently at a meeting with the DNR minister. The local catchment group from that area have been doing some wonderful work up there.

Mr Shine: Are you sure?
Mr RICKUSS: Yes, I am sure I was at the meeting. The local catchment group are doing some wonderful work up there. There are some interesting provisions in this bill. People such as Noel Pearson and Tania Major have been doing a lot of work. The Bowen family, who are not only well known in football but also as well known as cattle people in the Cape York area, actually do a lot of work in the area. There is a lot of potential.

I raise the issue that we have to realise that Australia is not a lesser place for the fact that we have exported some of our native animals to countries all over the world, and animals such as koalas and kangaroos have gone into purpose-built places. There is a large amount of vegetation in the Cape York Peninsula that could be looked at for use in the full gamut of production purposes, whether it be for medicines or the like. There is a lot of potential in the north. I honestly feel that the EPA should employ more local people. The member for Cook might be able to tell me what the Indigenous population of the cape is. Is it 70 or 80 per cent Indigenous?

Mr O’BRIEN: Yes. More than that.

Mr RICKUSS: As the shadow minister mentioned, I ask that the boards have a good Indigenous representation. That is the way that we will get some real Indigenous ownership for this act. It does need to be managed by the Indigenous people. They are by far the majority of people living in those areas. As the member for Gregory said, they understand the area, they can cope with the area and they really should be the ones managing the area.

We should be looking at some of the negatives, such as the pig population, and how we can benefit by controlling and containing the wild pig population.

Mr Johnson: Make it into an export industry.

Mr RICKUSS: That is right. As the member for Gregory interjected, that could be turned into an export industry. It has been turned into quite an export industry out in central west and western Queensland. There is some real potential there. Not only will we get rid of the vermin but we will actually build up an industry that was not there before. Some European countries find wild pig an extreme delicacy. I support the bill and I encourage the ministers to make sure that there is good Indigenous representation on all the boards and committees.

Mr O’BRIEN (Cook—ALP) (12.36 pm): I rise to support the Cape York Peninsula Heritage Bill. I am pleased to have this opportunity to talk about my electorate in parliament today. I said in my maiden speech, and I have said it a couple of times in this parliament, that the question of our age is how we find a balance between economic development and protecting our environment. That is the question that this generation of people and its leaders must answer if this species of humans that exists here now exists into the future. Unless we can find a response to that, then our species really is damned. That is
what we are trying to do here today with the legislation that is before the House: strike the right balance between protecting the wonderful environmental values of Cape York Peninsula and finding an economic future in a modern world for people who have existed in that environment for 40,000 years.

This bill is a result of an agreement between a number of groups and the resolution of extending land tenure management issues on Cape York Peninsula. Land tenure on Cape York Peninsula is very complicated. There are myriad different forms of tenure. For the uninitiated it can be quite daunting to try to get your head around exactly who has what rights where on the cape. There is native title, Aboriginal freehold, other forms of freehold and leases—mining leases, cattle leases and other forms of perpetual leases for things like the tourism industry. There is quite a complicated array of tenure arrangements.

I would like to talk about native title because it has been 16 years since one of the state’s key pieces of Indigenous land rights legislation, the Aboriginal Land Act, became law in Queensland. Two years later the Commonwealth passed the Native Title Act 1993. In Cape York these have been two important pieces of legislation because they have recognised that Indigenous people have had a continuous link to that land for over 40,000 years and it recognises it in Australian and Queensland law.

In 1997, by the consent of all parties, the Federal Court recognised native title over an area of about 110,000 hectares of the Hope Vale DOGIT near Cooktown. This determination was notable as it was Australia’s first mediated recognition of native title under the Native Title Act since the act came into force four years earlier. Nine other transfers have occurred in the Cape York region under the Aboriginal Land Act. I will mention all nine of them for no other reason than to put the traditional names on the record. I think it is important that we do recognise traditional words and traditional names if we are going to recognise the traditional culture.

Those nine were: the Balnggarrawarra Land Trust over more than 10,000 hectares at Melsonby; the Darrba Land Trust near Starcke over 9,000 hectares; the Imijim Land Trust over the Laura Aboriginal Reserve of 11 hectares—and I was there for that handover; the Injinoo Land Trust, known as the Apunipima, established over a very large area of the then Injinoo Deed of Grant in Trust known as the McDonnell Telegraph Station, which is an area of approximately 346,000 hectares—it is a huge tract of land that takes up the very tip of Cape York Peninsula; the Yuku-Baja-Mulkul Land Trust over 500 hectares at Archer Point—and I attended the handover there with the then Premier late last year, I think it was; the Kalpowar Aboriginal Land Trust over 200 hectares of land near the Kalpowar lease—and I was very pleased to be there for that handover in Cooktown late last year; the Silver Plains Kulla Land Trust was recognised as having ownership over 190,000 hectares; the Lockhart River deed was transferred to the Mangkuma Land Trust, and that was 349,000 hectares of land; and, lastly, the Pul Pul Land Trust over another part of the Lockhart River DOGIT of a relatively small area of 4,860 hectares.

Under the Beattie administration, there were a number of determinations under the Commonwealth Native Title Act by the Federal Court. This includes the most recent determination of native title in favour of the Strathgordon Mob which adjoins the two determinations made in favour of the Wik and Wik Way peoples. As members will remember, the High Court’s Wik decision—that native title may continue to exist on land that has been subject to a pastoral lease—did not determine whether the Wik people had native title over their traditional lands. This took two decisions of the Federal Court. The first in 2000 recognised that the Wik and Wik Way people had native title rights over more than 6,000 square kilometres, or about half a million hectares. The second in 2004 recognised native title over an additional 1.2 million hectares of the Wik and Wik Way peoples’ traditional lands on western Cape York Peninsula. The latter determination was the first time in Queensland that native title was recognised as continuing to coexist with privately held pastoral leases. When that determination was made, 22 of the 29 consent determinations recognising native title in Australia had been made in Queensland.

I thank the National Party spokesperson today for his comments in relation to this matter. It marks an important point, which we should recognise here, in how far the National Party has come in terms of its response to native title since the original Mabo decision and the Wik decision. I remember well the Premier of the day espousing a one-point plan for native title—that is, the extinguishment of native title in this state and this country. I remember well Mr Borbidge making that comment. I remember very well the horror that was struck right through the Cape York Peninsula and the Torres Strait when Mr Borbidge made those comments.

But it is worth noting today how far the National Party has come. We can see from the outline I just gave of the native title determinations that have occurred in my electorate alone that the sky has not fallen and the world has not come to an end. Indigenous people now have a recognised stake in their land at law and they will continue to manage that land for the benefit of not just their people but all Australians.

I want to turn quickly to some of the changes in the legislation regarding the Vegetation Management Act. The purpose of the Vegetation Management Act was obviously to control the clearing of vegetation in a way that conserves remnant vegetation, conserves declared areas and ensures clearing does not cause land degradation, therefore preventing the loss of biodiversity and maintaining ecological processes.
In this bill, the minister can allow a relevant landholder to clear vegetation for a special Indigenous purpose. This can occur in an area declared as an Indigenous community use area via a gazetted notice. Applications for development in this area must be accompanied by a property development plan. While this bill will introduce a new relevant purpose for clearing to the Vegetation Management Act, the objectives of this bill will complement the purposes of the act. I will not go through the objectives. I think people are well aware of what we are trying to achieve here. As I said in my opening remarks, it is about finding a balance between economic development and environmental preservation.

This bill provides two ways for the minister to be satisfied that clearing is for a special Indigenous purpose. The minister can be satisfied if it is a clearing on Aboriginal land, Aurukun shire lease land or deed of grant in trust land on Cape York Peninsula. The minister can be satisfied where the clearing does not involve endangered or of concern regional ecosystems, is not for the purpose of planting high-risk species or for woodchip for export, and is of a minor nature and would not result in a significant impact on the environment. Assessment of minor clearing proposals will be by a special clearing code under the Vegetation Management Act which will set requirements for maximum sizes, buffers to watercourses and other conditions.

The minister must consult with the regional advisory committee and scientific and cultural advisory committee established under this bill about the proposed declaration of an area as an Indigenous community use area prior to it being declared. The scientific and cultural advisory committee will play a role in identifying areas where the least impact on natural and cultural values on the land use can be achieved.

I would like to turn quickly to the issue of wild rivers. The wild rivers legislation has had an interesting history in this parliament. As I reminded the member for Lockyer a moment ago, it was supported by all members of this House at the second reading stage. Certainly at the time of the second reading debate, nobody decided that they wanted to divide—

**Ms Lee Long** interjected.

**Mr O'BRIEN:** Nobody, including the member for Tablelands, took the opportunity during the second reading debate to put their opposition to this bill on the record. We do it every day. We did it for a minor procedural matter here this morning. The Lord knows why we did that, but we did it anyway on an insignificant procedural matter. But we had significant legislation concerning rivers in my electorate and right through Queensland and not one member of this House who may have spoken against it, who may have raised some concerns in their speeches during the second reading debate, decided to put their opposition to that bill on the record of this House. Nobody, including the member for Tablelands and the member for Lockyer, decided to oppose it. They opposed one minor clause that had to do with public consultation. So I think it is important that we remember that there was an initial consensus about wild rivers in this parliament.

Again, the National Party has shifted in its response. There have been some subsequent amendments to the Wild Rivers Act which have been opposed by National Party members. I think they opposed it during the second reading debate the second time around when Mr Seeney took over the leadership of the National Party. We brought in some amendments which, again, tried to clarify certain matters and allow economic development, particularly for Indigenous people, and those measures were opposed. So there really has been a lack of coherent policy response to the government's proposal on wild rivers.

Thankfully today we are all on the same page again I think—or maybe not, as we are yet to hear from the member for Tablelands so perhaps I speak too soon. Certainly, in the past there has been support for wild rivers from right across this parliament—as well there should be. I travel throughout Queensland and I travel throughout the world and all of your rivers down here are buggered—excuse me, I withdraw that, and I do apologise for that. All of your rivers down here have been overused, and all of mine in my electorate are in pristine condition. That is why we should take steps to keep them that way. That is why we should learn from the mistakes of the past, member for Tablelands, and ensure that we do not make the same mistakes that have been made in other catchments.

**Ms Lee Long:** You're misleading the House because not all the rivers are degraded.

**Mr O'BRIEN:** Not all of them. They are not all totally degraded but certainly they are not in the same pristine condition as the rivers on Cape York Peninsula. I for one want to keep them in pristine condition. I for one think there is an economic value—not just a 'look and enjoy' value but an economic value—in having those rivers in pristine condition, because people will want to see those rivers in pristine condition. Nobody wants to come and see degraded rivers. Nobody wants to wander through eroded, cleared, overused river systems. What they want to do nowadays—and they will come from all corners of the globe—is to see rivers, like the ones I have in my electorate, in pristine condition. That is why I am happy to support the amendments before the House that will keep these wild rivers in pristine condition but allow for the economic future of people who have lived along those rivers for over 40,000 years.
There was some concern from Indigenous people that the wild river declaration might impact on native title rights. When we put the last lot of amendments before the parliament a year or two ago, I raised this concern about native title. It has always been the government’s position that native title will not be affected by the declaration of wild rivers. But even so we have taken the unprecedented step of formally recognising this in the legislation so that all parties can now be assured that their native title rights are not affected by the declaration of wild rivers.

There are a couple of other points I would like to make. Firstly, I join with the member for Gregory in congratulating the pastoral industry for its response to the legislation. I think we have finally got something on the table that is not just agreeable to one party or to another; we now have something on the table that is agreeable to all parties. In 2004 when I first stood for the seat of Cook my opponent was Graham Elmes, the National Party candidate for Cook. I think Graham would be well known to most people in this House—certainly to most people involved in the pastoral industry in Queensland. I recently attended an AgForce meeting at Musgrave Station which Graham chaired as the chapter head of AgForce in that region. He supported the bill and defended government policy to some of his members who were raising some concerns which they had about the bill. I must admit that I nearly fell off my chair when Graham did that.

Mr Johnson: He’s a good bloke.

Mr O’Brien: He is a very good bloke and a very good advocate for his industry and for the cape. What he showed me that day is that he is a reasonable person and he knows that when there is a good deal on the table he should take it. Graham Elmes is also a very shrewd businessman and he knows a good deal when he sees one. What we have on the table today is also a good deal for the pastoral industry. For the first time it gives some certainty that their industry will continue to exist on the cape.

Ms Lee Long interjected.

Mr O’Brien: Well, they did not seem to think so. Certainly that was not the view that they were putting. They did not feel that they had certainty. That is why when the government was negotiating with them it was AgForce that put this proposal forward to give them some certainty. Anyway, I look forward to the member for Tablelands’s contribution, as I always do. Perhaps she can explain her position then.

Providing pastoral leaseholders with an opportunity to have a 75-year lease gives them an enormous amount of certainty. It also drives value into that lease. It increases the value of that lease exponentially and gives them and their families an ongoing stake, or an option if they want to sell that lease to a third party.

Finally, I would like to speak briefly about the aspirations of the Pormpuraaw community to harvest wild crocodile eggs. That has been an aspiration of the Pormpuraaw community for a very long time—well over 10 years, I think. The community has tried using various mechanisms over the years to harvest wild crocodile eggs in and around its community and on traditional lands. Unfortunately it did not have any luck with the former champion of that community, James Purtell, who was also the Director-General of the Environmental Protection Agency. It did not have any luck under him when he was their champion.

I must admit I was a bit disappointed to learn that there was going to be a baseline study of how sustainable this was going to be. I thought, ‘Is this going to mean further delays for the long-held aspirations of these incredibly patient people?’ I was a bit disappointed because I know that in the Northern Territory where they have been harvesting wild crocodile eggs for over 30 years people complain that they now have more crocodiles than ever. I do not think that is true, but I do think their crocodile population has increased significantly since it was nearly wiped out in the 1970s.

I am a person who supports sustainability. We must make sure that it is sustainable. It will be sustainable, let me assure the House. There is no shortage of crocodiles in and around the Pormpuraaw community. One only has to go a kilometre up the road to see plenty of crocodiles. I suppose I enjoy irony, but the irony is that those traditional owners can eat every crocodile egg in a nest if they choose to but they cannot harvest them for commercial purposes. I urge the relevant minister to expedite that research and make sure that the people of Pormpuraaw can start earning money from this industry. I commend the bill to the House.

Mr Wettenshall (Barron River—ALP) (12.56 pm): I thank other honourable members adjacent to me for expressing their confidence and their ongoing support. In the early 1990s when I first arrived in Cairns one of the first public events that I went to was a slide show on the Cape York Peninsula presented at the Cairns and Far North Environment Centre by a fantastic local photographer, Kerry Trapnell. Kerry has gone on over the ensuing years to publish widely and to be engaged by many prestigious organisations including the National Geographic Society, the World Wildlife Fund and others. He has exhibited widely and he has published his own book.

The most outstanding thing about those photographs was that they were not just photographs about landscapes, although of course Cape York Peninsula is unique in Australia in the diversity and magnificence of its landscapes. They were wonderful photographs because they also depicted people in those landscapes. I am reminded of that exhibition and that display because I think this legislation is
very much about two things: it is about people and places. The debate that has gone on over a couple of
decades now, that has waxed and waned and has been characterised by shifting alliances, has been
very much polarised on that issue of people and places.

The provisions in this bill seek to reconcile and have the support of widely differing individuals and
groups in order to provide an agreed framework for the development of Cape York Peninsula into the
future. I like to think that Kerry Trapnell’s photographs are something of a template for that future which
is reflected in the provisions of these bills.

In 1996 through the Cairns and Far North Environment Centre, which I had something to do with
earlier in the 1990s, and through the efforts of a number of people including Indigenous people on Cape
York Peninsula and others around the state, a document was signed called the Cape York Heads of
Agreement. I recognise and acknowledge the significance of the achievement of that agreement. I think
it is fair to say that all of us who had an interest, a vision and a hope for Cape York Peninsula saw that
as a starting point to move forward. Pastoralists, Aboriginal and Torres Strait Islander people living on
Cape York Peninsula and people who were concerned about the environmental sustainability and the
conservation of the peninsula’s unique biodiversity had each found a way to move forward.

For a variety of reasons, which it is not necessary or appropriate to go into in speaking to this bill,
the fortunes and the prospects of realising the vision as set out in the Cape York Heads of Agreement
have waxed and waned. In my opinion, one of the best aspects of this bill is that, in a sense, we have
come around again to the point where the Cape York Heads of Agreement was in 1996. We are all able
to sit down together and express optimism and hope about all of the interests that are at stake in Cape
York Peninsula. But, most particularly, those people who live there are able to be recognised and to be
fostered through the new arrangements in this bill.

Sitting suspended from 1.01 pm to 2.30 pm.
Debate, on motion of Mr Wettenhall, adjourned.

MESSAGE FROM GOVERNOR

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and
Minister Assisting the Premier in Western Queensland) (2.30 pm): I present a message from Her
Excellency the Governor.

Madam DEPUTY SPEAKER (Ms Darling): The message states—

MESSAGE
JUDICIAL REMUNERATION BILL 2007
Constitution of Queensland 2001, section 68
I, QUENTIN BRYCE, Governor, recommend to the Legislative Assembly a Bill intituled—
A Bill for an Act to provide for salaries and allowances payable to judges and other particular office holders, and for other
purposes.
Governor
17 October 2007
Tabled paper: Message, dated 17 October 2007, from Her Excellency the Governor relating to the introduction of the Judicial
Remuneration Bill 2007.

JUDICIAL REMUNERATION BILL

First Reading

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and
Minister Assisting the Premier in Western Queensland) (2.31 pm): I present a bill for an act to provide
for salaries and allowances payable to judges and other particular office holders, and for other
purposes. I present the explanatory notes, and I move—
That the bill be now read a first time.
Motion agreed to.

Second Reading

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and
Minister Assisting the Premier in Western Queensland) (2.31 pm): I move—
That the bill be now read a second time.
This bill recognises the important role that secure and adequate remuneration plays in
maintaining judicial independence and high-quality appointments to judicial office. It is only through a
strong and independent judiciary that we ensure the impartial administration of justice and equality
before the law. Currently, the remuneration of Queensland’s judicial officers is decided by the independent Salaries and Allowances Tribunal. Under the Judges (Salaries and Allowance) Act 1991, the tribunal is required to inquire and report at least once a year on changes to the remuneration of a range of judicial officers, including judges, members of the Land Court, members of the Queensland Industrial Relations Commission and magistrates. This is a time-consuming process involving the consideration of submissions from the many stakeholders. I seek leave to incorporate the remainder of my speech in *Hansard*.

Leave granted.

In recent years, it has become clear that there are significant benefits to be gained from adopting a system which is administratively simpler and which creates greater certainty in judicial remuneration.

This bill establishes a new system which achieves these goals by creating a statutory nexus between the remuneration of a Federal Court judge and a judge of Queensland’s Supreme Court. It repeals the Judges (Salaries and Allowances) Act 1991 and abolishes the Salaries and Allowances Tribunal.

Like the current arrangements, the new system protects judicial independence by maintaining the separation of the executive from the process.

Under this bill, a Queensland Supreme Court judge will receive an amount equal to the salary of a Federal Court judge each year. This will be paid as salary and jurisprudential allowance. The remuneration of other judicial officers will be benchmarked against this amount. They will be paid more or less than the benchmark amount in accordance with current relativities. The bill preserves all the current allowances payable to judicial officers. Except for expense-of-office allowances, these will increase at the same rate as salary.

This means that increases in the salaries of Federal Court judges will automatically flow on to Queensland’s judicial officers. This structure will help achieve national consistency in judicial remuneration and ensure that Queensland continues to attract and retain high-quality appointments to the bench.

The bill also amends the Judges (Pensions and Long Leave) Act 1957 to recognise prior judicial service in other jurisdictions for the purpose of long leave and judicial pension entitlements. This is similar to legislation in the Commonwealth, New South Wales and Victoria. It will remove potential deterrents to judicial officers in other states accepting appointments in Queensland.

These new arrangements will apply only to judges appointed after the commencement of the legislation. The bill also amends the Freedom of Information Act 1992.

The Freedom of Information Act sets statutory time limits for processing applications, starting at 45 days. However, it is not uncommon for the decision-making process to exceed these time limits, particularly with large or complicated applications. In such cases, agencies have generally sought agreement from applicants to finalise the process ‘out of time’ and also advised applicants of their right to seek external review by the Information Commissioner on the basis of ‘deemed refusal’ since a decision had not been reached.

The practice of finalising FOI matters ‘out of time’ has evolved over many years and was beneficial to applicants and agencies. However, it has no statutory basis, so agencies do not have the legal authority to release information under the act in these circumstances.

This issue was only recently brought to the attention of the Department of Justice and Attorney-General which has acted swiftly to remedy the situation. The bill provides for ‘out of time’ decisions to be validated, protects decision-makers who released information ‘out of time’ and reaffirms an applicant’s right to seek external review when statutory time limits expire. The department also put in place interim measures to help agencies comply with existing provisions. This includes informing applicants of their right to seek external review or submit a fresh application.

Neither option should involve financial disadvantage to the applicant because there is no charge for external review and there are no fees or charges if you are applying only for documents which contain information that concerns your personal affairs. In the minority of cases where fees are payable for a new application, government agencies have been informed this should not involve further cost to the applicant.

I commend the bill to the House.

Debate, on motion of Mr Johnson, adjourned.

CAPE YORK PENINSULA HERITAGE BILL

Second Reading

Resumed from p. 3665.

Mr WETTENHALL (Barron River—ALP) (2.34 pm) Prior to lunch I was speaking about some of the general aspects of the bill. I now turn to two specific aspects of the bill that I wish to speak about. They are the committee process and the consultation activities that are related to the bill.

The background to the legislation is that the bill puts into practice an agreement for the resolution of outstanding land tenure and management issues on Cape York Peninsula. The bill recognises Cape York Peninsula’s significant natural and cultural values and provides for cooperative and ideologically sustainable management of the region.
The bill provides for the establishment of two committees that will provide advice to the Minister for Natural Resources and Water and it is those that I will focus on. Those committees are to be known as the Cape York Peninsula Regional Advisory Committee and the Cape York Peninsula Region Scientific and Cultural Advisory Committee. A third committee, the Regional Protected Area Management Committee, will provide advice to the minister for environment and multiculturalism.

The Cape York Peninsula Regional Advisory Committee will be responsible for advising the Minister for Natural Resources and Water on the declaration of Indigenous community use areas. The committee will also provide advice to the minister for environment and multiculturalism on the declaration of areas of international conservation significance. It will also be responsible for advising on any other issues the ministers consider appropriate with regard to the objects of the act.

At least half the members of the regional advisory committee must be representatives of the Indigenous people of the Cape York Peninsula region. The remaining membership will comprise conservation, pastoral, mining and tourism interests and local government. To ensure that the work of implementing the bill begins as soon as possible, the government intends to ask key groups to provide nominees for an interim regional advisory committee. This interim committee is to be established within four weeks of the bill becoming law. At the same time, the due process will get underway to formalise the long-term membership of the committee. It is anticipated that the Cape York Peninsula Regional Advisory Committee will meet four times in the first year, with two meetings every year thereafter.

I turn now to the Cape York Peninsula Region Scientific and Cultural Advisory Committee. This committee will advise the Minister for Natural Resources and Water about matters relating to natural and cultural values of land that is proposed as an Indigenous community use area. The scientific and cultural advisory committee will need to undertake specific assessments and consultancies that will review current knowledge and provide contemporary information about natural and cultural values. It will use that knowledge as a basis for its recommendations.

The scientific and cultural advisory committee will comprise six members with representation in agricultural science, covering grazing and cropping; ecology with respect to World Heritage values; zoology for animal husbandry; cultural values; anthropology; and freshwater ecology and aquaculture sciences. It is proposed that once this bill becomes law the process will begin to establish an interim and long-term Cape York Peninsula Region Scientific and Cultural Advisory Committee.

Meanwhile, the Cape York tenures resolution implementation group will continue to fill its role in terms of the Cape York heads of agreement which relates to the allocation of land. This group will take on the role of advising the Minister for Natural Resources and Water and the minister for environment and multiculturalism with respect to the management of values relative to Cape York Peninsula regional land.

I take this opportunity to acknowledge the many hundreds of people over the years—but particularly in the period preceding the signing of the heads of agreement in 1996 that I referred to before the lunch adjournment and since—who have contributed their skill, expertise, time, energy, passion and commitment to the future of Cape York Peninsula not only to identifying and preserving the outstanding natural values of the region but also to identifying opportunities for the economic development of all people who live on Cape York Peninsula. They come from all walks of life. By and large, they have had a common goal—that is, to achieve a better future for the people who live on Cape York Peninsula and to preserve the outstanding World Heritage values of the region for generations to come. Cape York Peninsula truly does contain some of the most outstanding natural and cultural values in the world. There are certainly many places worthy of that assessment.

As I say, there have been countless numbers of people who have participated in a variety of forums over the years. Scientists have deployed their skills in gathering the data that has enabled and informed the subsequent debates, and that will in many respects underpin the developments that are now made possible by the provisions of this bill. To all of them we owe our gratitude and our thanks. The consultation activities that have taken place in the development of this bill have been widespread and exhaustive, and I want to address those aspects now. The bill arose as a result of ongoing consultation involved with land tenure resolution and protection of significant conservation values of Cape York and constraints to economic development in Indigenous communities. That consultation and negotiation has resulted in an agreement in how to resolve outstanding land tenure and management issues on the beautiful Cape York Peninsula.

A driving force in the development of this bill was the concern expressed by Indigenous communities in the Cape York Peninsula region that they face legislative limits on their ability to pursue social, cultural and economic development aspirations. Months of ongoing consultation and negotiation occurred before this bill was brought to parliament and indeed has continued to this day. That consultation and negotiation is proof of this government's commitment to work with the communities affected, and that holds true whether they are physical communities or communities of interest such as conservation interests and the pastoral and mining industries.
Looking to the future, I can assure members that the Queensland government is committed to working with communities to give them the information and support that they need to realise the multiple goals of this bill—that is, to identify the significant natural and cultural values of Cape York Peninsula, and, as I said, a lot of work has already been done in that regard; to provide for cooperative management, protection and ecologically sustainable use of land in the region; to recognise the economic, social and cultural needs and aspirations of Indigenous communities in relation to land use in the region; and to recognise the contribution of the pastoral industry in the region to its economy and land management.

Many organisations have contributed to the formation of the bill, including the Cape York Land Council, the Wilderness Society, the Australian Conservation Foundation, AgForce and the Queensland Resources Council. A great many individuals and organisations are vitally interested in the future of the cape. Recognising this, the bill states that consultation must be undertaken before part of the Cape York Peninsula region is declared as an area of international conservation significance or an Indigenous community use area.

The Minister for Natural Resources and Water and the minister for the environment must consult with the regional advisory committee and the scientific and cultural advisory committee about proposed declarations. This government will support those communities to ensure that the most reliable and up-to-date scientific and cultural information is used in formulating the recommendations. Additionally, before declaring an area of international conservation significance, the minister for the environment must call for public submissions from persons who may have an interest in the area. The bill states that the Minister for Natural Resources and Water is not limited in the extent he may consult 'with any other person or entity' the minister considers appropriate before declaring an Indigenous community use area.

The communication that is envisaged through the provisions of the bill will be guided by two principles: first, flexibility in delivery to ensure that the information and support that is provided fits the needs of the various groups affected; and, secondly, to collaborate with other agencies involved to ensure that information is delivered consistently. Indeed, sometimes those other agencies are best placed to actually deliver the information and support. To repeat the former Premier's words in announcing this bill, through a spirit of endeavour and cooperation we have put in place a blueprint for a new future in Cape York Peninsula.

I have had the great good fortune to visit many of the communities on the Cape York Peninsula before I was elected to the parliament and the work in which I was involved meant that I had the great fortune to meet very many people. Also as part of that experience I witnessed firsthand the ravages of alcohol and substance abuse and the resultant violence and vandalism in some of the communities. It is true to say that, through the provisions of this bill, through the consultation that has occurred and through the various programs that have been put in place by this government that seek to attack the causes of disadvantage and dysfunction for people who live on Cape York Peninsula, all of us can share in a sense of optimism and confidence about the future.

We may not have necessarily been in a position to share that optimism and confidence some years ago. But I believe that, although there has been and continues to be disagreements about the way forward and although the road that is chartered by this bill for a better future in Cape York Peninsula will sometimes throw up some potholes and some corrugations that will make that road more difficult to traverse, all of us in the government—and I would like to think all of us in this parliament—are committed and share that faith that we can and we will achieve a better future for all of the people of Cape York Peninsula. We believe that we will do that through creating a platform for the development of economic opportunity and for proper jobs for all of the people on Cape York Peninsula to be able to share in the prosperity that most of us in this state and this nation enjoy.

That is a goal that is very worthwhile. It is very achievable. This is landmark legislation. It builds on a lot of important and significant work that has been achieved by very many people who have that goal and who have great goodwill for all of the people who live on Cape York Peninsula. Although there will be arguments and disagreements about the best way forward, I truly believe from the bottom of my heart that we all share that goal and that the people of Cape York Peninsula will enjoy a prosperous future in a country of outstanding natural and cultural values and that people will not only want to live there and not only have a future living there but want to visit there as well, and they will be able to do so. I commend the bill to the House.

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (2.47 pm): I rise to make a contribution to the consideration of the Cape York Peninsula Heritage Bill 2007. The first thing I want to do is pay due regard to the people who live in that vast area of Cape York. Cape York has always been something of a frontier part of Queensland, and even today the people who live there live in conditions that many of us do not understand. I particularly want to pay due regard to the women who have been part of the development of Cape York and who play an important role in the life of Cape York today—women in both non-Indigenous communities and Indigenous communities.
In so doing, I want to make it very clear on behalf of the coalition in this parliament that none of us agree with or support the unfortunate comments that were made by one of the candidates in the federal seat that covers Cape York. I am not going to repeat those comments because to do so only gives them note that they do not deserve. Mark Vaile, the leader of the National Party federally, said that they were inappropriate and unnecessary. I certainly want to put on record in this parliament today that all of us in the coalition endorse that. I have privately communicated with that particular candidate, and I have to say that my private communication was somewhat stronger and left him in no uncertain terms as to where I stood and how inappropriate I thought those comments were. The people who live in Cape York certainly deserve our respect. The women who live there and who are the backbone of those communities deserve our respect even more so.

Before I speak to the contents of the bill, the other person I want to pay due regard to is my colleague the member for Gregory. The member for Gregory is our shadow minister for Aboriginal affairs. I believe that, essentially, this bill is about the Aboriginal communities on the cape and providing them with an economic future. That is why I am very pleased that our shadow minister for Aboriginal affairs has been able to take the lead role in the debate on this bill. I think that the address that was given by our shadow minister earlier showed his vast knowledge of the issue and the close ties that he has with the Indigenous community. I endorse the sentiments that he expressed and thank him for his efforts.

I believe that this bill is about the future of the Aboriginal communities on Cape York. It is about ensuring that they have a future and that the ideologically driven wild rivers legislation does not preclude them from that future which they should be able to develop. I believe that the aspirations of Indigenous people in remote Australia to re-establish a real economy underpinning the sustainability of their society has been at odds with the vision of urban based conservation organisations, such as the Wilderness Society and others. That confrontation has emerged between the advocates of land rights in Cape York and those who advocate for a so-called wilderness. This may be the start of a sharpening of a clash of values.

Traditional landowners in communities in northern Australia are caught in a dilemma: striking a balance between the preservation of their natural and cultural heritage, which is foremost in their concerns as well, with the future of their land and their culture. They also understand that economic development is essential for the future of their people. Without economic development, Indigenous people are going to suffer welfare dependency for generations. The only real solution is a real economy. The only other alternative to a real economy is some sort of wholesale migration. I do not think that anyone wants to see a whole migration of generations of Indigenous people from that area and an abandonment of their land and the culture that they have established there.

In the wider society attitudes towards the environment and development range between two extremes: one side arguing that environmental and developmental policies must serve the needs of everybody and that nature must yield with the other side arguing that there should be no development and that the needs of people must yield. Which is it to be? No development, which will continue the downward spiral of breakdown, or seeking development that will sustain people on their traditional land in their traditional family groups? When we add into the mix the millions of acres of leasehold land that constitute the pastoral interests of the region, the scenario becomes even more complex. One could easily throw their hands up in the air and say that it is all too hard.

But this legislation goes some way towards finding a balance through agreements reached by the government with representatives of the Cape York Land Council, Balkanu, the Wilderness Society, the Australian Conservation Foundation and AgForce. All of the parties to whom I have spoken are cautiously optimistic, saying that the agreement strikes the right balance but that its success will depend on its interpretation.

Agricultural groups have said that they are supportive of the bill. They suggest that there is a deficiency in relation to converting a lease to other purposes because the legislation allows the minister to do a conversion, but it does not compel him to consult with the industry. The mining industry has said that as far it can see the legislation has a minimal impact on their operations. But the industry also sees the legislation as a win for Indigenous communities.

Noel Pearson, a noted Indigenous leader, is on record as saying that Aboriginals will be able to put their struggle for land rights behind them with the creation of a historic land use agreement for Queensland’s Cape York. However, Mr Pearson has also said—

... while the door is now open for Indigenous people to make development applications, they’re still anxious about how the legislation will be interpreted.

That is certainly the view that I want to reflect. It is one thing for us as politicians to pass this sort of legislation in this House. The success or failure of it will depend on the interpretation of it by the departmental people on the ground. I think whoever is the minister responsible—whether it is the minister for natural resources who sits in the seat today or whoever it is who follows him into that position—needs to be very aware of the potential for this legislation to succeed or fail depending on its
interpretation on the ground. Like Mr Pearson, we will be looking at that detail and keeping a watching brief to ensure that the interpretation of this bill does not lead to further restrictions on stakeholders in the area.

As I said at the beginning of my contribution, the legislation arises from the difficulties that all the stakeholders of the Cape York had with the wild rivers legislation. The wild rivers legislation was ideologically driven. It created a lot of difficulties at the time of its introduction that the government refused to acknowledge. Those difficulties were well and truly aired in the debate of the legislation in this House. Those issues were brought to the fore, but they were dismissed in this parliament because of the ideological drivers who dominated the government’s thinking about the wild rivers legislation. So this new legislation that is before the House is certainly an improvement, but it could have been avoided had that original wild rivers legislation been considered properly and had the stakeholders, who tried to have an input, had their input listened to and considered.

This new legislation provides for a joint management of Cape York’s national parks between the state government and the traditional owners. The original wild rivers legislation, which threatened to frustrate Indigenous economic development, will be amended by this bill to protect native title rights and the interests that Indigenous people have and will provide for mandatory water allocations for Indigenous communities in each of the catchments affected by a wild river declaration. Indigenous communities will be able to make applications for vegetation clearing on Aboriginal land for sustainable agriculture, sustainable aquaculture and sustainable animal husbandry. That is the way it always should have been.

The legislation that we are considering today is, in fact, an admission that the government got it wrong on land management in Cape York Peninsula, because I remember saying exactly that in the debate on the wild rivers legislation. Not only me, but a number of speakers on this side of the House are on the Hansard record as saying that that should have been the case in the beginning—that those Aboriginal communities should have been able to undertake those sustainable activities. They had a right to do so. They had a right to be able to undertake those sustainable activities as part of ensuring that they have some sort of an economic future in the region. At last that right has been recognised in this bill before the House.

Previously, we have seen the wild rivers legislation wound back to assist mining and pastoral industries to cope with the red tape that was so restrictive that it threatened to close down those industries in the area. Now we have seen a further winding back of the legislation so that Indigenous people can have an economic future in the region.

At the time we considered the wild rivers legislation I said—and I have said it over and over again—that it was not really about rivers at all. It was never a bill about rivers, it was never a bill about water; it was a planning instrument and it was always going to be a planning instrument. It was a planning control instrument and it remains so today. It is about a planning regime that restricts, a planning regime that prohibits and a planning regime that controls development in areas—not just rivers—that may be rivers or may be river catchments or may be anything else that the bill allows. In some cases the wild rivers legislation allows the areas to be complete islands, such as in the case of Fraser Island.

The wild rivers legislation is a discriminatory planning instrument, too, in that it does not apply to all Queenslanders. Instead, it applies only to those who live in remote or isolated regions where the declaration of a wild river is made. This bill before the House today is an admission that that legislation was so restrictive that the Indigenous people of the area could not operate under its red tape. So again it had to be wound back. This is a concession that the wild rivers legislation threatened the economic future of those Indigenous communities and so we are back in the parliament today trying in some way to fix that up.

This bill makes a lot of concessions to the Indigenous people of the area. We welcome those changes. I acknowledge that the government has been able to come in here and acknowledge the fact that it got it wrong and that it is prepared to change it. That in itself should be acknowledged. The wild rivers legislation is being improved, but it would have been so much better for everybody had the input of stakeholders been taken into account and used to properly draft the wild rivers legislation in the first place.

The previous Premier who introduced this legislation in his second reading speech outlined some of the benefits that he saw that the bill provided to key stakeholders of Cape York Peninsula. He indicated that he believed that the bill enshrined the joint management of national parks with Indigenous owners. We support that. He said that it allowed for the development of Aboriginal land, which would be supported by appropriate scientific and economic assessment. We support that. In fact, we said over and over again that that has to be part of any responsible management of the Cape York Peninsula.

The previous Premier said that the legislation creates a new Aboriginal rangers program to manage the region's wild rivers and protect native title rights in wild river areas. We certainly support that. He said that it creates the ability for land trusts to form subregional aggregations for the purposes
of negotiating resources and management. We certainly believe that that is a step in the right direction to ensure that the Indigenous populations have an input into those developments so that they too can benefit from and provide a sound economic base for their communities. He said that the bill protects native title rights in wild rivers areas and provides for a reserve of water to be set aside for Indigenous communities. I well remember that point was raised continually in the debate on the wild rivers legislation. There is an essential need for those communities to have, as of right, a water allocation that allows them to have a decent community to live in.

From a conservation point of view, the bill also has a lot of positives. It identifies areas of potential World Heritage significance and it removes current impediments to the declaration of national parks by establishing joint management arrangements for the Indigenous owners. For the pastoral industry, the bill rewards graziers who choose to protect World Heritage values on their properties and offers greater certainty to those graziers. Lessees will be rewarded with a 75-year lease if they take action to protect World Heritage values and enter into Indigenous land use agreements.

For a long time we have argued and we will always argue to protect the property rights of people who hold those pastoral leases, not just in the cape but across Queensland. They have a right to expect that their leases will be renewed. Somehow over a period the state Labor government has promoted the idea that when the lease period is up for renewal there is no right to expect it to be renewed. That is repugnant to the concept of property rights and it will do nothing to improve the management of those areas. In fact, if that ideology is allowed to take hold and develop in the way that certain members of the government have been promoting, I believe it poses an enormous threat to the sustainable management of those pastoral lease areas, not just in the cape but across Queensland. I could talk for a long time about that matter, but I know I am straying from the core of the legislation.

It is good to see that in this legislation opportunities are offered for leaseholders to obtain longer term leases. However, there is still an issue of security of tenure that must be addressed when those leases are renewed, irrespective of how long they are. As legislators we need to address that issue in the interests of sustainable land management, not just in the cape but across the northern and western parts of Queensland. The bill also provides for the consideration of the impact on the Cape York grazing industry of any decision to transfer ownership or convert a lease to another tenure.

I am certainly comforted by the provisions in the bill for the ongoing consultation between stakeholder groups with the creation of a regional advisory committee to advise on matters relating to the declaration of areas of conservation significance, Indigenous community use areas and other matters relevant to the act. The membership of the committee is to be determined by the minister for natural resources and the minister responsible for the environment, and it is suggested that it will be 50 per cent traditional owners and 50 per cent stakeholders from other interested or affected groups.

However, I express to the government my concern that the make-up of the advisory committee is an area that the coalition will be watching carefully to ensure that there is true representation from stakeholder groups that have an interest in the area. It is always interesting to see the definition of ‘stakeholder groups’ and to look at the people who claim that they somehow have a right to be considered a stakeholder. In the Cape York Peninsula area, there is doubt that the Indigenous communities and people who hold grazing leases and mining interests form genuine stakeholder groups. A lot of other people try to get their two bob’s worth in there as a means of progressing their communities and people who hold grazing leases and mining interests form genuine stakeholder.

I hope that the advisory committees can properly weigh up the differing advice that they get from different groups with different levels of interest. The state Labor government has a habit of bringing in outsiders to consult on behalf of local communities. It would be a disappointing outcome if that occurred in an area such as the cape. There are people who live in Brisbane and Cairns who like to think that they are experts on affairs that affect Cape York. However, they should take a secondary role to the people who live in the cape. That is my point, although I do not think that point can be properly defined in legislation. It is something that has to be weighed up by the responsible minister and the government.

It is easy to support a bill when many of the stakeholder groups of the region are satisfied with its content. It is also important that the subordinate legislation that is attached to the bill does not create problems that the bill attempts to solve. The bill goes about solving the problems created by red tape and provides Indigenous communities with the key to what I believe can be a sustainable and viable future that is about real jobs and real enterprises for communities. The legislation should allow Indigenous communities to take advantage of the development opportunities that they can support with science and economics, and that will ensure the future generations of Indigenous people who live in the cape can have a better lifestyle than they do today.

We will support the bill in the parliament, but in doing so we will keep a watching brief on the subordinate legislation to ensure that the concessions made by stakeholders in supporting the legislation are honoured and are not eroded by regulation. We will be keeping a watching brief on the
management of Cape York because we are concerned for the communities of Cape York. We are concerned that those communities do have a proper say in their future and that they can look forward to a strong, economically viable and environmentally sustainable future not just for the people who live there now but for generations to come.

Mr CRIPPS (Hinchinbrook—NPA) (3.07 pm): I rise to make a contribution to the debate on the Cape York Peninsula Heritage Bill 2007. The stated objectives of the bill are to identify significant natural and cultural values of Cape York Peninsula, to provide for cooperative management, protection and ecologically sustainable use of land, including pastoral land, in Cape York Peninsula, to recognise the economic, social and cultural needs and aspirations of Indigenous communities on Cape York Peninsula in relation to land use, and to recognise the contribution of the pastoral industry in Cape York Peninsula to Queensland’s economy and land management.

The bill applies only to Cape York Peninsula and has been developed to recognise its unique natural and cultural values. The bill proposes to allow for the return of homelands to traditional owners and provides opportunities for them to develop a sustainable economic, cultural and social future. This is a positive initiative and is in contrast with the current passive welfare system that encourages a culture of apathy, underachievement and social dysfunction in Indigenous communities.

The stated objectives of the bill are proposed to be achieved by the declaration of areas of international conservation significance, the cooperative involvement of landholders in the management of the natural and cultural values of Cape York Peninsula, the continuance of an environmentally sustainable pastoral industry as a form of land use in Cape York Peninsula, the declaration of Indigenous community use areas in which Indigenous communities may undertake appropriate economic activities, and the establishment of committees to provide advice on the implementation of the Cape York Peninsula Heritage Act. The bill broadly reflects the agreement between the mining industry, the Indigenous community, the pastoral industry and conservation groups on how best to protect the natural environment and legitimate economic opportunities in Cape York Peninsula.

The bill provides for joint management of a new category of national park, known as a national park (Cape York Peninsula Aboriginal land), with Indigenous groups being permitted to pursue some development activities. Specifically, the bill designates areas of Indigenous land that are suitable for activities such as agriculture, grazing or, indeed, aquaculture, and allows a limited amount of clearing of vegetation to be undertaken via permit following appropriate assessments.

The bill provides for a new Indigenous Rangers Program to manage Cape York’s declared wild rivers areas. One of the more satisfying aspects of this bill is that it appears that a much more sensible and proactive consultation process has been undertaken before the legislation has been introduced into this place. This is in contrast to the way that consecutive wild rivers bills have been put together by this government. The original consultation process for that legislation was very rushed. The first wild rivers bill in 2005 was very poorly put together and was terribly flawed. This was confirmed when the parliament was asked to consider another wild rivers bill in November 2006 to amend the legislation before the declarations were made. Those declarations were made following the consideration of a third bill in February this year.

As I have said before in this place during debate on the latter two of those three bills, during the consultation process for the original wild rivers legislation there were considerable concerns expressed in rural and regional communities in relation to the proposed legislation from a variety of stakeholder groups which were not given appropriate consideration by the government. The amendments that were passed in November 2006 did marginally improve the severe impact that the Wild Rivers Act 2005 had on regional and rural areas of Queensland where it increased the uncertainty and diminished the property rights of landowners in areas where they have already been undermined by this state Labor government’s vegetation management legislation. This government did not listen and that was evident from the raft of amendments that the parliament was asked to consider in November 2006 before any declarations could be made.

I am therefore encouraged that the government appears to have gone out and engaged and actually listened to a range of relevant stakeholders who have cautiously endorsed this bill. This suggests that they believe that the agreement strikes the right balance between conserving the environment, respecting significant Indigenous cultural issues on Cape York Peninsula, providing economic opportunities to those local communities and encouraging established and emerging industries. It is a welcome change from the heavy-handed approach that is typical of this government and which has been so evident in recent times on a range of legislation.

The bill earmarks areas of international conservation significance and creates a mechanism for the declaration of more national parks. At this point I must raise my concerns about the lack of effort that this government is putting in to the maintenance of its national parks as far as pest weeds and feral animals are concerned. If the Cape York Peninsula Heritage Bill proposes to expand the area of state controlled land, then it is vital that the government also move to increase the resources available to control pest weeds and feral animals in these national parks.
As I have said on more than one occasion in this place, in north Queensland there is a significant serious and growing feral pig problem. I said to the former minister for the environment earlier this year that the government has consistently demonstrated that it is unwilling to take appropriate action in response to the environmental damage caused by feral animals on state controlled land and assist landowners suffering economic losses from feral pig damage. The government is abrogating its responsibilities by not properly controlling feral pig numbers on state controlled land such as national parks and state forests. The damage continues to get worse and feral pig numbers continue to increase. This is certainly true on Cape York Peninsula where I have heard reports of extensive feral pig damage in places like Lakefield National Park and Cape Melville National Park, which are well known for their very sensitive wetlands and melaleuca swamps.

I repeat my expression of disappointment in relation to the EPA’s expenditure on pest animal management and pest weed management that was cut by the government’s 2007-08 state budget. This will be a relevant issue if there is an expanded public estate on Cape York Peninsula. On 6 February this year I asked the former minister for the environment a question on notice to provide a breakdown of the EPA’s expenditure on pest animal management and pest weed management for 2005-06 and what the EPA estimated it would spend on the same programs for 2006-07. The answer to that question on notice was promising insofar as it indicated that the government planned to increase the funding from approximately $4.5 million in 2005-06 to approximately $5 million in 2006-07. I was pleased that there appeared to be some acknowledgement that there needed to be more resources allocated for that purpose. I thought we were moving in the right direction. But a press release on 4 June this year from the former Premier and the then Treasurer, who is now the Premier, indicated that the figure in 2007-08 would be cut by half a million back to $4.5 million. That was very disappointing and certainly showed that the former minister for the environment did not have a full understanding of the severity and the scope of the issue with respect to pest weeds and feral animals.

The reality is that as pest weeds and feral animals become more prolific they pose a major threat to the survival of endangered plants and animals and cost farmers and landowners millions in lost production and control costs. When the state government is acquiring and declaring more areas for national park or providing a mechanism for the expedited declaration of more areas, as is being done in this bill, Queenslanders should be aware and alarmed that the government has decided to spend less on their maintenance, particularly in relation to pest control. The government needs to put more effort into controlling feral pigs on state controlled land.

Over the last 12 months I have been working with local industry groups, local councils and the wider community to raise the profile of this issue in north Queensland. We have come some way since the government advised me last year that it did not think that we had a problem in my area of the world. The government has been embarrassed into doing something by a chorus of industry groups, landowners, conservation groups and local councils being critical of its lack of action with respect to this issue.

The former minister for the environment announced two projects this year: a three-month trial program between Innisfail and Ingham which has been running since August and will wind up at the end of this month; and more recently the former minister announced a two-year $150,000 trapping program to be delivered by Terrain Natural Resource Management in the Herbert River district. I welcome these two projects as a step in the right direction. What a change in attitude this represents from the government in less than 12 months. We have gone from a situation where there was apparently no problem to putting more resources into the specific area. I think it is quite remarkable really.

I am pleased that the Minister for Sustainability, Climate Change and Innovation is in the House at this point in time because I want to make this point very clearly to him and offer some advice about having a deeper understanding of this problem: trapping programs have focused on private freehold land adjacent to state controlled land. There has been no enhanced effort to attack the populations inside the national parks and state forests where feral pigs have found a safe haven because access to these areas is being denied to people who wish to pursue feral animals on state controlled land. I say to the government that, if the government will not provide more ranges and resources to existing rangers in the QPWS to undertake these control efforts, the government ought to engage professional contractors.

Mr O’Brien: It does.

Mr CRIPPS: Evidently not enough. The member for Cook interjects out of his seat. Unfortunately it is not enough because feral pig numbers are increasing exponentially as we speak. Alternatively, it could hold induction courses and issue permits to the members of the public who wish to do it for free on state controlled land. Either way, the government continues to address only part of the problem at the interface of public and private land while allowing weeds and animals to flourish inside national parks and state forests.

Mr McNamara: You caught my statement about Canarvon last week—4,000 horses, 151 pigs?

Mr CRIPPS: Horses are one thing. I am talking mostly about feral pigs because it is a problem impacting significantly not only in my area but also on Cape York Peninsula, which is the subject of this bill.
Mr O’Brien: Feral pigs are not the subject of the bill.

Mr CRIPPS: Well, certainly national parks are, member for Cook, and this is a major problem for maintaining the pristine environment which you spoke—

Mr O’Brien interjected.

Mr CRIPPS: This is a major problem—

Mr DEPUTY SPEAKER (Mr Wettenhall): Order! Please address your remarks through the chair.

Mr CRIPPS: Through you, Mr Deputy Speaker, it is a major problem for the maintenance of the pristine environment that the member for Cook spoke about so passionately. He of all people should understand the impact that these very large herds of feral pigs have on his area of the world. I note he is rolling his eyes; he may not be interested.

While I have primarily spoken about this issue with respect to my area, this bill is about Cape York and on Cape York feral pigs are of even greater concern. If there are tens of thousands of feral pigs on state controlled land in my area, there are hundreds of thousands on Cape York Peninsula doing exactly the same thing. If this bill seeks to give greater recognition and enhanced protection to the unique environment on Cape York Peninsula, the efforts of the government need to extend beyond the rhetoric.

The new opportunity being afforded to Indigenous communities to have a greater say in the management of this new category of national park will only be successful if they are properly resourced. I am labouring this point because in my experience the government has not put sufficient emphasis on maintaining state controlled land, particularly national parks. It will be particularly important on Cape York Peninsula because of the vast and remote nature of the land.

This morning just prior to the debate on the bill commencing, extensive and significant amendments were produced which I understand will be moved by the Premier later. There are 24 amendments in total. One of the amendments, amendment No. 3, relates to the gathering of crocodile eggs for commercial use by Indigenous communities. Prior to this occurring, however, a two-year study will have to be conducted to ascertain whether or not such harvesting is sustainable. It is not often that I agree with the member for Cook.

Mr O’Brien: I am sure that is not true.

Mr CRIPPS: It is not often that I agree with the member for Cook and that is evident from just a few moments ago. During the debate earlier on this bill, the member for Cook did make some sensible observations about how frustrating this provision was, given that those of us who live in north Queensland know there are no problems whatsoever about the wild estuarine crocodile population, despite the recent results of an EPA survey. I concur with the member for Cook and his remarks earlier that this amendment requiring a further bureaucratic process to be undertaken will delay Indigenous communities from pursuing a sensible commercial activity. I urge the government to rethink this provision because I believe it is an unnecessary burden to place on this activity and will only hold back the spirit of what this bill is trying to achieve.

The bill offers greater certainty to graziers by giving the opportunity to lessees to obtain 75-year rural leases if they agree to be proactive in protecting World Heritage values and enter into Indigenous land use agreements. I think this is a positive initiative and is the part of the bill which probably reflects best the reason why a range of stakeholders have cautiously endorsed the bill in recognition that it proposes a more balanced approach between economic development, Indigenous issues and environmental protection than we can generally expect from this state Labor government. Primarily for this reason, I support the bill.

Mr GIBSON (Gympie—NPA) (3.23 pm): As has been said, the National Party supports the Cape York Peninsula Heritage Bill. This legislation is the result of unprecedented collaboration between such groups as the Cape York Land Council, AgForce, the Wilderness Society, the Australian Conservation Foundation and the Queensland Resources Council. It aspires to provide a range of initiatives to protect the wild rivers and World Heritage principle of the region whilst providing a tangible policy framework for an economically viable and environmentally sustainable future for the region.

What is baffling to me is that this bill has assimilated the economic, the environmental, the social and the cultural into a palatable package which has been produced by a government whose policies in my electorate alone—specifically, with the Traveston Crossing Dam—are nothing short of an Armageddon on all fronts. The cooperation demonstrated to achieve this bill cannot be an anomaly. It is my belief that if the levels of cooperation and consultation experienced to obtain the Cape York Peninsula Heritage Bill were apparent in the Traveston Crossing Dam debacle, the dam project would be dead in the water now and the Bligh government would be pursuing more pragmatic solutions to this completely avoidable, Labor government created water crisis we face in the south-east corner.

Mr DEPUTY SPEAKER (Mr Wettenhall): Order! I have given you some latitude. This is not a debate about the Traveston Crossing Dam.
Mr GIBSON: Mr Deputy Speaker, I find the Traveston Dam in so many issues, but I accept your point. The National Party is resolute in its commitment to protect Queensland’s unique environment whilst ensuring that our economy remains globally competitive through sustainable economic development.

Mr O’Brien: Have you spent a lot of time on the cape?

Mr GIBSON: Have you spent much time out at the Traveston Dam?

Mr O’Brien: Have you spent a lot of time on the cape?

Mr GIBSON: Have you spent much time out at the Traveston Dam? The member for Cook obviously is passionate about his area and I commend him for that. I am passionate about my area as well.

Mr O’Brien: Have you been there? Have you been to the cape?

Mr DEPUTY SPEAKER: Order!

Mr GIBSON: Thank you, Mr Deputy Speaker. Our impact on the environment—

Mr O’Brien interjected.

Mr GIBSON: Mr Deputy Speaker, I find the member for Cook particularly rude, but if he wishes to continue I will wait until he finishes.

Mrs Sullivan: Give him a sign.

Mr GIBSON: I choose not to. Our impact on the environment on mammalian species alone is disastrous. In 200 years Australia has been the home to a third of the world's mammalian extinctions. This is an untenable situation. All Queenslanders have a role to play in the protection, conservation and proper management of our natural environment. It is the government’s role to ensure its protection for future generations. This legislation may be one policy to ensure this protection.

The bill will identify the significant natural and cultural values of the Cape York Peninsula. It has provisions for cooperative land management, protection and the ecologically sustainable use of land, including pastoral land. This bill places the imperative on the recognition of the economic, social and cultural needs and aspirations of Indigenous communities in relation to land use, and the recognition of the contribution of the pastoral industry to the economy and as a crucial element of land management.

The outstanding natural and cultural values of the region are unsurpassed. Queensland’s floral emblem, the Cooktown orchid, is a native species of this region. So unique is this plant species, it was thought by many to be our floral emblem long before its official ascendance in 1959. The Cape York Peninsula’s significance for Queenslanders goes well beyond the realms of symbolism. It comprises Australia’s north-east tip and is one of the last two wilderness areas left in the world, with a plethora of ecological diversity and it being predominantly untouched by human disturbance.

With the Wet Tropics World Heritage area to the south and the Great Barrier Reef World Heritage area hugging its coast, this region is a linchpin to creating possibly the largest network of World Heritage areas in the world. To achieve World Heritage listing, a site must be of outstanding universal value and meet at least one of 10 selection criteria, with the protection, management, authenticity and integrity of properties also taken into consideration.

This bill provides a 12-month period to identify areas of international conservation significance that adhere to World Heritage values, and that is indeed important. It is impressive to see that, under strict considerations, the bill advocates the sustainable use of land for agricultural and aquacultural purposes and will reward those whose practices are in principle with this legislation. It contains stringent provisions for clearing remnant vegetation within Indigenous community use areas. It will only be permitted when such activities for agriculture or aquaculture are deemed to be economically viable. They cannot occur in an ‘endangered’, ‘of concern’ regional ecosystem or in an essential habitat for an endangered species.

The role of the minister concerning the bill is to consider the impact on the Cape York grazing industry of any decision to transfer or convert any lease to another tenure in the interest of ensuring the viability of grazing in the region. It is good to see the pastoralists have the facility to be granted 75-year pastoral leases if the lessees are willing to adhere to World Heritage values and enter into Indigenous land use agreements covering issues such as access and use by the traditional owners. It is my opinion that all means should be explored to maintain the presence of an environmentally sustainable, economically viable grazing industry in the region within the confines of this bill.

One of the most significant facets of this legislation is the very real prospect that the local Indigenous communities will benefit substantially under the bill. Indigenous communities in the region have an ongoing strong attachment to their land and culture. The bill addresses these issues by allowing for the continued return of the homelands to traditional owners and provides opportunities for them to develop a sustainable economic, cultural and social future.
I note that there remains some anxiety as to how the new legislation will be interpreted. Neil Pearson is quoted as saying—

If there’s highly restrictive interpretation then we’d be concerned that some development opportunities may not proceed. It’s not our intention to bring forward development proposals that are destructive of the environment. These Aboriginal lands are the most pristine lands in the whole of the State. And it’s been the custodianship of Aboriginal communities that has seen these lands remain in pristine condition.

This legislation provides real hope. It asserts the cooperative involvement of landholders in the management of the natural and cultural values of the Cape York Peninsula. The advisory structure of the act includes subregional committees, allowing traditional owners one voice. Committees will be formed to advise the authorities on the implementation of the act, and the act will contain an Indigenous economic and employment package. I commend the government on this particular area including the Indigenous ranger positions.

The act also allows for the creation of a new class of protected land: national park (Cape York Peninsula Aboriginal land). National parks can be created within Aboriginal land, abolishing the need for these costly leaseback arrangements. This new class of land will amend the Aboriginal Land Act and allow Indigenous communities a real opportunity to manage, maintain and profit from traditional lands unparalleled in past legislation. In such areas Aboriginal law must be adhered to and local communities must be allowed to hunt, gather and fish as this is considered essential to the Indigenous culture and identity.

Common ground must be attained between promoting the aspirations of Indigenous communities and those who wish to use the jointly managed national parks. It is obvious that such communities must be able to maintain their social, cultural and economic ties to the land but the pristine nature of the national parks must be maintained as well.

After nearly two decades a tentative point of equilibrium has been achieved between Indigenous communities, agriculture and the environment. This legislation is a step in the right direction to amend, in part, the Wild Rivers Act which threatened to stifle economic development in the area. It protects native title rights and asserts mandatory water allocations in each of the catchments once endangered by the wild rivers declaration. I support this act so long as the objectives are still being met and the level of land clearing remains sensible and within the guidelines of the Vegetation Management Act. I note that the Wilderness Society has some concerns about excessive land clearing that may occur under this new act. I am sure that this government will monitor such activities rigorously and pursue any breaches with vigour. This is a real, tangible opportunity for the residents and businesses of the region to prosper exponentially through sound environmentally sustainable business practices. It is such a shame that the Bligh government’s foresight does not extend further south to my electorate.

Mr LEE (Indooroopilly—ALP) (3.32 pm): I am delighted to rise in the House today in support of the Cape York Peninsula Heritage Bill. My intention is to be quite brief in my contribution. I think most members would know my views on issues in relation to the cape and also wild rivers. Cape York is obviously one of the last great wild places on earth, and I am delighted that this piece of legislation will be passed by the parliament today. I am very keen to support this bill, which is about sustainability for members would know my views on issues in relation to the cape and also wild rivers. Cape York is obviously one of the last great wild places on earth, and I am delighted that this piece of legislation will be passed by the parliament today. I am very keen to support this bill, which is about sustainability for

Indigenous communities will have their joint management of national parks enshrined. It will allow for sustainable development on Aboriginal land with appropriate scientific and economic assessments undertaken. It also protects native title rights in wild rivers areas. For the pastoral industry, there are also rewards for those who choose to be sensible in their stewardship of land that has World Heritage values in this part of the world.

Importantly, this is a bill that I think will take us one step closer to seeing Cape York achieve the World Heritage listing that it so clearly deserves. I am delighted today to support this bill, because it opens the door and allows us to declare wild rivers in the cape.

Hon. KW HAYWARD (Kallangur—ALP) (3.34 pm): In rising to participate in the debate on the Cape York Peninsula Heritage Bill, I would like to address the benefits that this bill will provide to Indigenous people in the Cape York Peninsula. After months of negotiation between the Queensland government, the Indigenous community, conservation interests—which the member for Indooroopilly just talked about—the mining industry and the pastoral industry, agreement has been reached on the resolution of outstanding land tenure and management issues on Cape York Peninsula. That is what this bill is about, because it reflects on that agreement.

Indigenous communities in the Cape York Peninsula region have expressed concern that there are a number of legislative limits on their ability to pursue social, cultural and economic development aspirations. This bill creates a new class of protected area that will enable national parks to be created over Aboriginal land without the need for leaseback arrangements. Importantly, I think it will provide a simple, cheaper alternative to land tenure processes.
The bill proposes to achieve this by creating a new class of protected area under the Nature Conservation Act 1994 called national park (Cape York Peninsula Aboriginal land). The new class will enable a perpetual national park to coexist with Aboriginal land and allow for joint management of national parkland by traditional owners and the state. Joint management arrangements will be defined under an Indigenous land use agreement and an Indigenous management agreement. The latter agreement will cover how the land will be managed, the responsibilities of each party involved in the agreement and confirm public rights of access.

The extent of the Environmental Protection Authority’s role in the management of national park land will be negotiated for each subregion and will depend on the capacity of traditional owners to undertake day-to-day management. I am pleased to see that the minister is in the parliament. I am sure that he will ensure that those negotiations between those traditional owners and the Environmental Protection Authority are carried out fairly. The traditional owners have an opportunity to clearly participate in that day-to-day management. The greater the capacity of the traditional owners to manage the day-to-day aspects of the national park, the greater their responsibilities will be.

The Indigenous management agreements which I mentioned earlier will detail the work subcontracted to traditional owners. If the Environmental Protection Authority manages the national park land, this will occur in accordance with Aboriginal tradition. Under the bill Indigenous community use areas will be designated on a case-by-case basis in locations that have the capacity to support aquaculture, animal husbandry, agriculture or grazing activities. Expert advice will be sought to determine these locations.

A policy will be developed to provide guidance on who should be consulted and a process for consultation before the declaration of an Indigenous community use area. Applications for limited clearing of remnant native vegetation within Indigenous community use areas will be permitted provided they meet a number of criteria. Some of those criteria are that clearing is for agriculture, animal husbandry, aquaculture or grazing; the development is likely to be economically viable; clearing will not occur in an endangered regional ecosystem, of concern regional ecosystem or in essential habitat for a threatened species; clearing will not occur for the purpose of planting high-risk species or for trees to make woodchips; and a property development plan is to be prepared.

A vegetation management code based on part S of the current regional vegetation management code will be developed to assess clearing within areas of Indigenous community use on the Cape York Peninsula. The code will also consider the size and configuration of clearing in a way to maintain ecosystem functioning and ensure that remnant native vegetation remains in the landscape. The bill will create the ability for land trusts with land in national parks to form subregional aggregations for the purpose of negotiating resources and management.

Indigenous stakeholders have been concerned about the effect of the Wild Rivers Act 2000 on native title rights. Therefore, this bill proposes to amend the Wild Rivers Act to confirm that the wild rivers legislation does not affect prior native title rights.

We will also ensure that water allocations made as part of a wild rivers declaration include a reserve of water for future use by Indigenous communities for sustainable development. A proposal for the employment of rangers for wild rivers is currently being finalised. As a first step, initial funds have been set aside for the employment of 20 rangers for this program. The state government will work closely with all stakeholders in delivering the wild rivers ranger program and to expand the program over the next three years. I commend the bill to the House.
This bill provides a framework for the joint management of Cape York national parks. The explanatory notes state that national parks and other claimable land in the Cape York Peninsula region are taken to be transferable land for the purpose of this Act. It clarifies that Indigenous management agreements must be entered into prior to being dedicated as a national park (Cape York Peninsula Aboriginal land). It must ensure that the existing lease, agreement, permit or authority that has been issued over a national park at the time of its transfer to a national park (Cape York Peninsula Aboriginal land) continues under the existing conditions despite any other act.

I am not sure about the word ‘transfer’ and about national parks being transferred to Aboriginal land. I do not know where they are coming from. National parks are there for the benefit of all Queenslanders. There are places in national parks where people can get a permit from the parks and wildlife people to fish and camp in that national park. Many north Queenslanders and Queenslanders travel hundreds of kilometres if not thousands of kilometres to go and fish in those national parks. This is a very important issue. We want to know whether we are going to have the right to fish in those national parks that could be transferred to Aboriginal land. This is an issue that cost the Goss government. He tried to ban fishing in national parks. He copped the wrath of over a million fishermen across the state who were absolutely ropable. I hope the minister will address that—that when it comes to transferring national parks to Aboriginal land under the Aboriginal Land Act 1991 we will still be able to get a permit to fish in those areas.

I believe that the national parks do need to be managed. They are a breeding ground for feral animals and noxious weeds. There are a number of national parks that I have been to before I became a member and since I have been a member. The Staaten River National Park is a haven and breeding ground for feral animals and noxious weeds. It is an absolute disgrace. It needs to be properly managed.

Wild pigs are running riot at Alice River. I have been told that the Aboriginals in Kowanyama like to burn off. I believe that they have kept that cleaner than other national parks throughout the state because they have burned off in the area over centuries. The Alice River National Park is the cleanest national park I have ever been to. When driving into the Alice River National Park the feral animals—especially the feral pigs and wild cats—are running riot. No-one shoots them. They do not run from vehicles. They know that they are protected. We need to open up those areas so that hunters can go in with a permit and shoot the feral pigs. That is not much to ask.

Mr Reeves: Are you saying that the pigs know that they are being protected?
Mr Knuth: The member should go up there and he will know what I mean. Cars drive past them and they know that they cannot be touched and they will be looked after.

Mr Reeves: You are saying that the pigs know that they are being protected.
Mr Knuth: Yes, they know. They are just like cows. The member needs to get out in the bush to gain a bit of an understanding. If a person drives past a cow day in and day out the cow knows that they will not harm it. If we were to drive past pigs and shoot at them they would run. These pigs do not run because they do not care because they know the people who are driving past could not give a damn.

Mr Mickel: If the pigs were that smart, you’d put them into parliament!
Mr Knuth: They are that smart. They are very smart. The Aboriginal community knows this too. The pigs are not particularly bothered to run. If people shoot at them they will run. It is guaranteed that they will run.

Madam DEPUTY SPEAKER (Ms Palaszczuk): Perhaps the member could come back to the bill.
Mr Knuth: This bill relates to crocodiles, but I dispute what the member for Hervey Bay said this morning about living with flying foxes. I challenge him to come to Charters Towers.

Ms Male: You are not talking about flying foxes again?
Mr Knuth: We have had them flapping around for six years and living and roosting above our homes. They carry a lethal virus. The member should come and live with 6,000 death adders above her home and see whether we need to live with flying foxes.

In relation to crocodiles, there are a lot of crocodiles in the gulf. We have been fishing up there. Their numbers are out of proportion and it is a catastrophe. One grazier in the gulf said that once he could go down to Einasleigh River and catch a barramundi. He cannot do that now because all the crocs have eaten the barra and the only thing in that river is crocs. This issue needs to be investigated. Aboriginal people in that area are looking for jobs. We know that crocodile numbers are out of control. So why don’t we provide a bounty for Aboriginals to hunt crocodiles so that they could make a living from it? This would be a good idea to reduce croc numbers.

Mr Mickel: So you’d shoot them too?
Mr KNUTH: Yes. There are lots of crocodiles in that area. I have to tell the House about the time I was fishing in the gulf and there was a freshwater crocodile measuring about 10 feet underneath the boat. I had a lure which I had already caught four barramundi on. It was the only good lure that I had—it was the only lure with which I could catch a barra—and I was fishing in a place in Cape York Peninsula that is prolific with crocodiles. I caught a catfish and that crocodile actually latched on to my catfish. I had to fight that crocodile for about three minutes, and I could not let it go because if I did let it go or cut the line I would have lost my $20 Nils Master lure. When I brought that crocodile to the surface—this is a true story—he would not let go, so I actually bashed it across the head with the oar. There are too many crocodiles in that region and something needs to be done about it. I just wanted to add that small contribution to this debate.

Mrs MENKENS (Burdekin—NPA) (3.51 pm): I am very happy to rise to contribute to the debate on the Cape York Peninsula Heritage Bill. This proposed legislation is to facilitate agreement between all parties concerned with the sustainable development and protection of the Cape York region of Queensland. The parties concerned are the pastoralists, the Indigenous communities, the mining companies and the conservationists. It is pleasing to see the declaration of areas of international conservation significance on Cape York Peninsula. With an increasing number of tourists from both Australia and overseas travelling right through the area to the tip of the cape, it is important that this is handled properly to enable people who do wish to visit this unique part of Queensland without degrading or spoiling the natural beauty to do so and so that the local population and future visitors can enjoy this area also. It is imperative to preserve the unique heritage of Cape York.

More and more people are interested in visiting all of these unspoilt areas of the world where development has been kept to a minimum and of course the unique natural features have been preserved. The tourism industry could be said to be sustainable and it can also help enrich the economy without adversely affecting the land if it is correctly managed. Tourism would provide an opportunity for members of the local Indigenous communities because they have a wonderful natural affinity with the land and also have vast knowledge of the land. Tourism is a way that they can showcase their culture to visitors to the cape.

The declaration of Indigenous community use areas in which Indigenous communities may undertake appropriate economic activities is a positive initiative. It is pleasing to see the setting up of processes which will enable members of the Indigenous communities of Cape York to develop their country in a sustainable way and it will enable them to take pride in their achievements and it also paves the way to self-sufficiency. I do note the amendment of the Wild Rivers Act that allows the continuation of native title rights within the designated wild river areas.

It is also good to note that the bill allows for joint management of national parks with Indigenous owners and the state government and actually sets up an entirely new process for this to occur. This is an interesting process and I know that we will all be very interested to see that this actually works. This bill allows the development of Aboriginal land when this has been supported by the appropriate assessments and it also creates the ability for land trusts to form subregional aggregations for the purpose of negotiating resources and management. I note also that Indigenous communities will be able to make application for vegetation clearing on their Aboriginal land for sustainable agriculture, for aquaculture and for animal husbandry. I welcome this, because the bill does give those communities a real opportunity—a real opportunity for economic development and the ability to get employment and build their own businesses. Already the wild rivers legislation has been wound back to assist mining and pastoral interests to cope with the red tape that was so restrictive, and we are also now seeing further winding back of the wild rivers legislation so that the Indigenous people can have an economic future in the region. We welcome that and, as I said, we certainly look forward to that occurring. I note that Noel Pearson has given his conditional support to these processes, although he has expressed some concerns.

The provision of 50-year and potentially 75-year rural leases is a measure of security to graziers in the Cape York area. It is disappointing that freehold ownership will not be available for landholders to give them greater security, but this would arguably not be in line with World Heritage guidelines. This contrasts with homeowners who may have a heritage listed, often multimillion-dollar, property. Those homeowners would have very stringent guidelines on how that property must be preserved and maintained, yet at least they have full security over the tenure of their home. Total ownership of land does give a greater sense of security and provides a much more stable background in order to utilise the land and undertake appropriate development activities.

Continuing an environmentally sustainable pastoral industry as a form of land use on Cape York Peninsula is important. The pastoral industry opened up Cape York and the fact that it is still a viable industry proves that the pioneering landholders did get it right and they have used the land in a sustainable manner. Pioneers of the grazing industry on the cape endured great hardships in establishing their properties and during the often extended wet seasons were completely cut off from the outside world, and of course they still are in so many different areas, and they do endure a lot of hardships. It is not an easy life on Cape York Peninsula for Indigenous communities and newer residents as well.
This experience of living in Cape York has made these people very independent and also very responsible custodians of the land, because they have learnt from experience how to use the land so that it can continue to provide a living for generations to come. Pastoralists contribute a great deal to the economy and also to the land management of the region. Sustainable management of grazing land by pastoralists is only limited by financial resources and by their knowledge, and to that extent governments do have a great level of responsibility in both of these areas to provide support to all landholders in terms of resources and also in terms of knowledge—that is, continuing knowledge of new science and sustainable uses of the land.

To come to a compromise in relation to the preservation and sustainable use of Cape York Peninsula is a very difficult balance. No doubt at the end of the day, no matter how well negotiated the issues are, there will be disappointed parties. However, I do acknowledge the level of consultation and the work that has gone into the preparation of this legislation over a great many years. I commend the members of the department who have done the hard work and the hard yards on this because I know that a great deal of thought has gone into this legislation, and I note that both ministers are nodding. I was very interested to see the inclusion of clause 24 that applies to opening the way for the harvesting of crocodile eggs from the wild to be used for hatching and commercial usage by crocodile farms. In this instance, it would be the Edward River Crocodile Farm. As I understand, at the moment that is the only crocodile farm that is in existence on Cape York. However, I noted the further inclusion of the amendments as distributed today where harvesting would actually seem to be rather a long way off.

According to these amendments that are before us today, before a scientific permit may be granted to a prospective crocodile farmer to harvest eggs in the wild the chief executive of the department must first be reassured that the research findings are that the distribution, the number, the size et cetera of the crocodile population is sustainable. That is the first tranche. Following that, further research must then be undertaken to ensure that the harvesting of crocodile eggs from the wild will not adversely impact on the ecological sustainability of the estuarine crocodile population. Each of those processes will probably take two years, which makes a total of a minimum of four years before a panel can then decide whether to grant a permit to harvest eggs from the wild. I can only say that those eggs seem to be in a position of relative safety in the wild for a very long time.

Of course we must preserve our crocodile population but sometimes the methods being used seem to be nothing short of precious. In fact, I could suggest that there is a fair bit of outside influence being put on some members of the department. It is fairly well documented that 90 per cent of crocodile eggs in the wild do not develop or actually hatch. So I simply ask: what is all the fuss about? I accept that the crocodile population was becoming decimated through unrestricted hunting. But I really question ambit claims that the population is not increasing enough. It was put to me by departmental staff—

Ms Male: The population is still vulnerable. It has not recovered. It is a vulnerable species.

Mrs MENKENS: It is a vulnerable species, but I live in crocodile country and the numbers are increasing dramatically. Recently it was put to me by departmental staff that sugarcane farming was responsible for the decimation of the crocodile population in north Queensland. I was keen to tell this to the farmers in the Giru area, because I know that they will reassure those departmental officers that crocodiles are alive and well in the Haughton River area. Those farmers are tripping over crocodiles in the cane paddocks when they are out there trying to water their cane.

However, let me be serious. I sincerely hope, regardless of the lengthy time frame, regardless of the impost of the red tape, that further incentives are able to be given to the Edward River Crocodile Farm by allowing the harvesting of crocodile eggs in the wild. I also hope that this ability will also be extended to other crocodile farmers in other parts of Queensland, because crocodile farming is a very viable industry. It has huge economic potential and it is a wonderful way in which we could also market and showcase some of our unique heritage.

It is hoped that the various levels of red tape associated with this legislation do not preclude it from being viable, because it is excellent legislation. This bill has strived to strike a delicate balance between the various stakeholders as well as ensuring economic development and environmental sustainability. I welcome the introduction of this legislation, and I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (4.03 pm): I rise to contribute to the debate on the Cape York Peninsula Heritage Bill 2007, which is yet another piece of legislation that is aimed at locking up Cape York and locking out Queenslanders. The objectives of this legislation are stated as being the identification of significant natural and cultural values of Cape York to provide for the cooperative management, protection and ecologically sustainable use of land. This legislation also claims to recognise the economic, social and cultural needs and aspirations of Indigenous communities and the contributions of the pastoral industry.

One of the reasons identified for this bill applying only to Cape York is that Indigenous communities in the region have an ongoing strong attachment to their land and culture. The bill contains a provision for the declaration of Indigenous community use areas.
The Scrutiny of Legislation Committee report notes that this bill—

... is expressly directed to identifying significant natural and cultural values of the Cape York Peninsula ... and recognising the economic, social and cultural needs and aspirations of Indigenous communities in relation to land use in the Cape York Peninsula Region.

During his second reading speech the then Premier stated—

This approach includes a tenure resolution model that provides Indigenous people of Cape York Peninsula with greater recognition and autonomy in the ongoing delivery of land management in areas of conservation significance.

The benefits of this legislation specifically for Indigenous communities include the joint management of national parks by Indigenous owners, the development of Aboriginal land when supported by appropriate scientific and economic assessment, the ability for land trusts for subregional aggregations for the purposes of negotiating resources and management, the protection of native title rights in wild river areas and for a reserve of water to be set aside for Indigenous communities.

Specific provisions in the bill provide for Aboriginal and Islander customs and tradition. Of course, there is also a requirement for half the members of the Cape York Peninsula Regional Advisory Committee to be representatives of Indigenous people. Clause 38 inserts new parts into the Aboriginal Land Act 1991 which convert claimable land to transferable land and in the process extinguish any proceeding before the Land Tribunal regarding claimable land. However, there is no discussion in the explanatory notes about what interests may be affected or how they may be affected.

The Scrutiny of Legislation Committee raised the issue, which I believe is a serious matter, of proposed section 83A(4)(c), which requires before the establishment of a land trust that the minister must be satisfied that a substantial majority of Aboriginal people who have been consulted support the establishment of the trust. Although the committee was concerned about the ambiguity of the term ‘substantial majority’, I raise the further concern of that majority being needed only from those consulted.

This government has a long history of failing to consult. In fact, the committee’s report raises concerns that the communities of the Torres Strait are not mentioned as having been consulted on this bill. In a reply to the committee the then Premier admitted that, in fact, consultation with Torres Strait Islanders did not occur during the drafting of this bill. How can the government be relied on to consult appropriately on any other matter? The reasoning provided by the then Premier was that it was okay not to have consulted them because the bill was considered to be beneficial to them. Of course, without any consultation that has to be another arrogant assumption of this ALP government. This government’s attitude that it knows what is good for the Torres Strait Islanders far better than they do smacks of paternalism at best.

The Premier of the day explained the term ‘substantial majority’ as differing for each case but that it was expected to be in most cases a unanimous decision. Where it was not a unanimous decision, then the Indigenous community would have the chance to settle the issue internally with any further action towards creating a land trust dependent on the circumstances.

Among other changes introduced in this bill is one that removes the existing provisions for the Land Tribunal to consult with those people recognised as elders of the relevant group of Aboriginals. This will be replaced by the minister consulting with people, including elders, but also any claimant, any other person identified through anthropological work, or anyone identified through the advertising process as being particularly concerned with the land. I am aware of at least one long-running matter in the cape where I understand the precise point of contention is that the traditional elders of a particular Indigenous group are alleged to have not been part of various agreements now affecting that group. My understanding is that the role of elders is absolutely central and I believe these amendments put that role at risk.

It is interesting to note that, although the contributions of the pastoral industry are mentioned, it appears that their economic, social and cultural needs and their aspirations are not to be given recognition. I note that the organisations consulted in developing this bill are listed in the explanatory notes as being the EPA, the Department of Natural Resources and Water and the Office of the Queensland Parliamentary Counsel. AgForce is not listed. The Cook Shire Council is not listed. Indigenous organisations other than the Cape York Land Council are not listed. No tourism agency is listed. The mining industry does not get a mention as being consulted, either. Not one non-government stakeholder is listed as having a say in this, yet the bill claims to be about cooperation.

In his second reading speech, the then Premier said that the bill would provide the pastoral industry with two things: rewards for those graziers who chose to protect World Heritage values on their Cape York grazing properties and, separately, a promise to consider the impact on the cape’s grazing industry of any decision to transfer ownership or convert a lease to another tenure. The implication underlying the promise of rewards is that the grazing industry and its existing practices, as they stand, are somehow a threat to the environmental values of Cape York. That is absolute rubbish.

There has been grazing in Cape York for almost 150 years. One of the earliest leases was issued in 1879 for what is now known as the Laura Homestead. There have been cattle herds and stations in the cape since the 19th century. It is to their credit that we still have a natural environment there. The
cape grazing industry has a longer and more successful track record of looking after the cape’s natural environment than any government or conservation organisation. Yet in the second promise made in that second reading speech we see that there is no guarantee that grazing has a future in the cape. While there is provision to consider the impact on the grazing industry of changing the tenure of a lease, that is all there is. There is nothing more; just a promise that any impact will be considered.

In an area with vast stretches either already affected or likely to be affected by wild rivers constraints and vegetation management constraints, as just two examples, there is good cause for pastoralists to be extremely concerned about their future viability. A major stakeholder, the Cook Shire Council, has raised concerns about the bill in regard to converting pastoral leases to any other kind of lease. In particular, the council is concerned that there is no provision for consultation with the regional advisory committee nor is there any provision requiring a study to determine whether the land involved is good quality agricultural land as defined in Planning guidelines: the identification of good quality agricultural land.

The Cook Shire Council has said that it anticipates that the only pastoral lease of land that would be surrendered would be that bought by a government agency and then surrendered for the purpose of converting the lease to unallocated state land invoking section 47B of the Native Title Act, negotiating an ILUA for conversion of part of the land to national park and Aboriginal freehold. This is precisely what has already happened with the Green Hills Aggregation at Archer Point.

In such a case, the Cook shire believes—

... that a government agency could purchase a pastoral lease for land in the Cape York Peninsula Region and convert same to another tenure without reference to the Regional Advisory Committee and the Scientific and Cultural Advisory Committee, or without undertaking or commissioning a comprehensive study by an appropriately qualified person to determine whether the land is good quality agricultural land.

In the view of the Cook shire, whether the land is good quality agricultural land should be establish by proper study and, if it is, then it should be returned to a tenure that allows agricultural or pastoral use. Where it is found to be good quality agricultural land, it should also be protected from fragmentation or other adverse impact, either on it or on surrounding land, by any change of tenure. I note that this protection from fragmentation would be in complete accord with the existing relevant state planning policy on the issue.

While this bill claims to be aimed at a sustainable grazing industry, harsh reality suggests otherwise. The lease on Shelburne Station was not renewed for the Nixon family because of the environmental value of the area. Let us remember that that environmental value is precisely what that family preserved by the way they managed the lease. What did that careful management bring the family? It brought them eviction. That is the harsh reality of grazing leases in the cape and that is why promises by this government to consider the impact of tenure changes rings hollow.

There has been a consistent push to lock up the cape for so-called environmental purposes. It has gone on ever since the days of Goss and Rudd. Leases and properties have been bought up, cancelled and so on to create great stretches of national parks, reserves, conservation areas, native title lands and so on. This includes just about every property on the coastline having been resumed, as have many of the internal properties. In each budget, millions of dollars are put aside to acquire more.

The present leader of the federal opposition, when part of the Goss ALP in Queensland, was party to taking back 11 Cape York properties. The so-called East Coast Conservation Zone was announced as far back as 1995, covering a huge stretch of the cape from the Daintree to the tip. Since at least the mid-1990s there has been a push to turn all of Cape York into some kind of World Heritage, national park, conservation, native title or some other title area owned and controlled by the state.

Another grave concern is the scandalous understaffing and underresourcing of rangers for all the parks, protection zones, reserves and so forth that have been established in the cape. It is an absolute disgrace. The current resources range from something like 8c per hectare to 65c per hectare, and this is simply not doing the job. These areas are supposed to be reservoirs of our best flora, fauna and landscapes, but they are little more than the worst havens for feral plants and animals one could find. They are widely acknowledged to be the worst of neighbours as they are the source of constant invasions from out-of-control pest plants and animal species.

If this government had a real and honest interest in the environment and the heritage value of the cape, it would be spending much more money on caring for it. It is not spending the money, so one might draw the conclusion that, in fact, it does not really care at all.

There is a promise for leases of up to 75 years duration provided that the leaseholder meets a whole new raft of conditions on top of the existing conditions such as those imposed under the recent review of leasehold land. I point out that it was under the old system, which offered leases of up to 99 years duration, that the grazing industry did such a good job of caring for the cape. Their outstanding stewardship cannot be denied. If they had spent the past 140 years committing the kind of environmental vandalism that we see today, and which they are often accused of, there would not be an environment in the cape worth saving. It is a bitter pill indeed to discover their environmental responsibilities have earned them nothing but yet another layer of rules, regulation and expense.
Part 5 of the bill deals with the creation of two new committees that will have exceptionally powerful influences on the future development of the cape. These are the Cape York Peninsular advisory committee and the scientific and cultural advisory committee. Firstly, the regional advisory committee will be responsible for advice on declaring areas of international conservation significance. Indigent community use areas and, significantly, other matters considered appropriate having regard to the objectives of the act. As the act applies to the entire cape and addresses social, cultural, economic and environmental matters, it is clear that this committee—which will be appointed and not elected—will be a major player if not the major player in the region.

Secondly, the scientific and cultural advisory committee membership requirements are troubling. There are only three identified positions: one for someone with environmental qualifications, one with cultural heritage qualifications and another with economic expertise. There may be more members, but there is a requirement for only three. More worrying is the fact that there is no requirement for any Cape York interest to be represented on the committee. No Indigenous representative, stakeholder, councillor or anyone else who will be affected is called upon. That is a long way from being inclusive and cooperative.

It is important to clarify just where this bill will apply. The definition of the Cape York Peninsula region covers as far south as the Daintree River on the east coast, 25 kilometres from the tourist mecca of Port Douglas. It is not confined to distant remote areas, but casts a shadow over the fringes of the far-north's largest city, Cairns. Certainly once the forced amalgamation of the Douglas shire and Cairns council takes place, the area covered by this heritage bill will include some of that new local authority area. It borders onto my electorate also as many people in the cape do most of their business dealings in towns on the tablelands.

The cape is becoming so regulated, controlled, governed and strangled by rules and bureaucracy that people are beginning to feel as if they need five different permits and an environmental impact statement simply to draw breath. Sweeping legislation like this, with implications for practically every activity on the cape, is why they feel that way. Vegetation management laws, the wild rivers regime, the steady annihilation of grazing properties that are turned into parks and reserves, the imposition of arbitrary limits on development and the extreme underfunding of those parks and reserves are all part of the daily burden on residents in the cape.

Those cape residents looking to develop their land and build a brighter future are faced with requirements for land management plans, vegetation management plans, water management plans, ILUAs, high-priority zones and the need to hire consultants and seek approvals from a bewildering array of agencies. At times they are required to do that within extremely tight time frames that have no relevance to a region of vast distances, only seasonal road access, extremely limited telecommunication services and so on. If these same impositions were forced on those in the south-east, there would be hell to pay.

The bill before us today does, I believe, attempt to deal with the cape as if it were a separate and single entity. It is a massive area similar in size to Victoria, and even though it is largely undeveloped that does not mean that it is some kind of uniform wilderness. Too many city dwellers just do not care about the reality of Cape York or the impact of laws like these on people making their livelihoods far from the comforts and conveniences of the urbanised south-east.

The area of Cape York covered by this bill includes not one or two but four different bioregions. According to information on the web site of the Department of Natural Resources and Water, those bioregions are the Cape York Peninsula, Wet Tropics, Einasleigh Uplands and the Gulf Plains, which are all covered or partly covered by this bill. Those bioregions are vastly different from each other. They have different needs, different constraints, different levels of development, different tourism potential, different mining interests and the list goes on. Yet this is not recognised in this bill. For example, a very significant part of the Wet Tropics bioregion is covered, yet there is no consultation listed with the Wet Tropics Management Authority nor with the federal government. Under one vote, one value, all Australians are supposed to be considered equal. They should also be treated equally when it comes to having access to services, having an education, having the same level of responsibility for the consequences of their actions and choices and having the same access to opportunity. It is difficult to see this bill providing any of that for those in the cape.

In conclusion, I am disappointed to hear that the Nationals are supporting this bill today and note that there are no Liberals speaking on this bill either. The cape is too far from the city to care, one would presume. It proves that they have no idea or do not care about the reality of living in the cape. The vegetation management and wild rivers legislation both affect the cape in a special way which is different to the rest of the state and which, may I say, I opposed on both occasions. Knowing firsthand how heritage listing affected us on the tablelands and in the far north in general since the late eighties to this day, I will have to oppose this bill.

Debate, on motion of Ms Lee Long, adjourned.
Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police, Corrective Services and Sport) (4.22 pm), by leave: The member for Gympie this morning asked about police interviewing a 15-year-old boy at a police station in his electorate. I committed to getting back to the House with an answer today and I have made inquiries in relation to the member for Gympie’s allegations. Police are obliged to ensure that offenders and suspects have access to interpreters or a support person for interviews where these persons are Aboriginal or Torres Strait Islanders, children or have impaired capacity. Where these persons may not have direct access to an interpreter, police will either negotiate an appropriate date and time to allow persons to arrange such a support person of their choice or, if necessary, will make arrangements to have such a support person attend the interview. Police are not required to supply an interpreter for a support person.

I table a copy of section 421 and 422 of the Police Powers and Responsibilities Act 2000 and chapter 6.3.3 of the Police operational procedures manual, which outlines police responsibilities in these circumstances. If the person in question is hearing impaired, police give the person an opportunity to have their interpreter attend or organise an interpreter. If the person in question is from a non-English-speaking background and requires an interpreter and one is not available, arrangements will be made by police for one to be provided.


The member for Gympie is totally wrong in saying that police are not funded to provide assistance for the hearing impaired; they are. The police are not in breach of the Anti-Discrimination Act, as the member for Gympie also claimed. In the case mentioned this morning, the young person who was being questioned was not hearing impaired and did not require an interpreter. Police attended the residence of the mother and the young person and arranged a suitable time for an interview with the young person together with an appropriate support person. The mother did inquire to see if an interpreter was available. However, she was advised, as per Queensland Police Service policy, that police do not pay for interpreters for support persons.

During that conversation the young person signed conversation with his mother and wrote brief notes to ensure that his mother understood. The result of the conversation was that they were seeking legal advice and would advise police if they would take part in an interview. Police were subsequently informed that the young person would not take part in an interview. It was necessary for police to take action and interview this young person. The mother indicated that she could not attend the interview and that her son had received legal advice. The mother organised another support person for the interview. The support person provided was not hearing impaired. Police met the young person and the support person as arranged and the young person declined to be interviewed. This young person has subsequently been charged with very, very serious offences.

Ms MALE (Glass House—ALP) (4.25 pm): I rise this afternoon to support the Cape York Peninsula Heritage Bill 2007. This bill is significant in that its purpose is to protect the significant natural and cultural heritage values of Cape York Peninsula, but more significant than that is the partnerships and goodwill that have been displayed by the government, the Cape York Land Council and Balkanu, the Wilderness Society, the Australian Conservation Foundation and AgForce. To have so many groups with sometimes diverse interests and constituencies come together and agree on legislation which will further promote cooperative management and sustainable use of land in the cape is a wonderful achievement.

This bill paves the way for an integrated management process for the natural and cultural resources of the cape. The key benefits of the bill include: the creation of a new class of protected area that will enable national parks to be created over Aboriginal land and streamline land tenure process; the designation of Indigenous community use areas on Aboriginal land suitable for aquaculture, agriculture or grazing and provide a limited capacity for vegetation clearing in these areas; the creation of the ability for land trusts with land in national parks to form subregional aggregations for the purposes of negotiating resources and management; the designation of areas of international conservation significance to give initial recognition to World Heritage values; and provides a way forward to achieve the declaration of wild rivers on Cape York Peninsula.
I believe this bill provides the opportunity for economically viable industries to be established by Indigenous people and this in turn will give them the surety that they need for their communities to grow and prosper. Also, management agreements between Indigenous communities and the Environmental Protection Agency should provide opportunities for Indigenous people to become involved in the day-to-day management of national parks which benefits the community and the environment.

I am also keen to see the EPA provide more resources for the national parks to ensure that world-class conservation practices can be established and monitored. I am hopeful that this bill will set the groundwork for that to occur. I was interested to read a release from the Wilderness Society which stated—

Development and conservation can and should go hand-in-hand in Cape York. World heritage, wild rivers, better land management and the economic prospects coming from these initiatives should significantly enhance employment opportunities for Cape York people.

It is important to note that this bill has benefits for all of the key stakeholders on Cape York Peninsula. I have covered some of the benefits for Indigenous communities and wish to note that for conservation interests the bill identifies areas of potential World Heritage significance and removes current impediments to the declaration of national parks by establishing joint management arrangements with Indigenous landowners. The benefits for the pastoral industry include the ability for rural lessees to access a lease term of up to seven years, it rewards graziers who choose to protect World Heritage values on their properties, and the bill provides for the consideration of the impact on the Cape York grazing industry of any decision to transfer ownership or convert a lease to another tenure.

I have been in discussion with the Premier regarding my concerns about clause 24 of the bill. This clause in its original form would allow the holder of a scientific purposes permit to sell or give away any estuarine crocodile eggs taken from the wild or any progeny derived from them. To me this is providing a clause in its original form would allow the holder of a scientific purposes permit to sell or give away any estuarine crocodile eggs taken from the wild or any progeny derived from them. To me this is providing a commercial incentive to research an animal that is listed as vulnerable on the threatened species list under the Nature Conservation Act. I believe that any scientific research on native animals purely for commercial purposes cannot be supported. I personally think, though, that we should be doing a lot of research into estuarine crocodiles on the western side of the Cape. I am pleased that the amendment to the clause includes as relevant information the following information given by an expert panel: current research findings on the distribution, genetics, migration, number, age and size of estuarine crocodiles in the study area; current research findings on the distribution and number of nests, the nesting behaviour and the survival rate to maturity of estuarine crocodiles in the study area; and other information including, for example, details of nest sites and the maximum number of eggs proposed to be taken in the study area under the permit.

A number of scientists that I have spoken to have said that this should mean that a minimum of 14 years of study into estuarine crocodiles would have to occur because, for example, that is how long it takes for a hatchling to grow to maturity. However, section 6 could allow an expert panel to decide the appropriate research may be completed in one or more years or at least two years. I can only imagine that this paves the way for current research to extrapolate findings of nesting sites and hatchlings and make assumptions on maturity rates. I believe that one to two years is too short a time for research to occur when it should be in the range of at least 10 to 14 years according to the proposed legislative amendment. I seek some assurance from the Premier that the research time will be rigorous enough and of sufficient length to ensure that a proper judgement can be made as to the sustainability of any future harvest.

I am also interested in ensuring that the expert panel will consist of a panel of persons with sufficient expertise and experience in research and management of wild estuarine crocodiles. I understand there is a large difference in the number of crocodiles and types of habitat between the states and believe it is most appropriate that researchers considered for the panel are actively involved in bona fide current crocodile research that is published and have worked extensively in Queensland on crocodile research.

It is important to get the amendments right. I believe that we need to have long-term, rigorous data on estuarine crocodiles and their population and survival rates in the western Cape. I have discussed this clause extensively with many crocodile experts who have an obvious commitment to the survival and recovery of a vulnerable species in the estuarine crocodile.

The majority of this bill has been prepared to provide the balance for competing interests in the Cape. to protect the environmental and cultural values of the area and to provide for sustainable social and economic growth for the industry and the Indigenous community. I note that a lot of further work will need to be done within the communities of the Cape. and I welcome this bill as the vehicle to deliver on the aspirations and desires of the stakeholders who have participated. I commend the bill to the House.
Hon. AM BLIGH (South Brisbane—ALP) (Premier) (4.31 pm), in reply: Prior to making some concluding comments on this bill, I seek leave to table the explanatory notes to the amendments.

Leave granted.

Tabled paper: Explanatory notes for amendments to be moved during consideration in detail of the Cape York Peninsula Heritage Bill by the Premier.

Ms BLIGH: I start by thanking all members who have spoken in this debate for the very thoughtful contribution they have made to the bill before the House. The Cape York Peninsula Heritage Bill 2007 is a very significant achievement in the resolution of land management issues on the Cape York Peninsula. I would like to thank all stakeholders for their ongoing commitment and contribution to the development of the bill. I would particularly like to thank the Cape York Land Council, the Wilderness Society, the Australian Conservation Foundation, AgForce, Cape York graziers, the Queensland Resources Council and the Cook Shire Council for their valuable input and forbearance while a practical outcome was negotiated. If members contemplate for a moment that list of stakeholders, it is not difficult to see how many hurdles could have been put in the way of this resolution and how easy it would have been for those players to find significant cause to divide rather than to unite. I do congratulate them on finding a way to come together in what I think is a very, very successful outcome. I would also like to note the attendance of members of the Cape York Land Council and the Wilderness Society in the public gallery during some of today's debate.

The land management issues have been addressed through a framework that balances the interests of the Indigenous community, conservation groups, the mining industry, the pastoral industry and in my view the broader public of Queensland and Australia. I am pleased to announce that the Queensland government has committed $3.63 million for this financial year to support the implementation of this new approach to natural and cultural resource management. This initial commitment will allow the Environmental Protection Agency and the Department of Natural Resources and Water to commence work immediately and to reinvigorate negotiations with traditional owners. I would also like to reaffirm the 2006 election commitment that the state will allocate significant funding for voluntary land acquisition for the dual purposes of protection of conservation values, including new protected areas, and the continued return of homelands to traditional owners to enable them to develop an economic future.

I would like to thank the Leader of the Opposition for his support for the bill and in particular his comments in relation to the positive role played by women in the cape. I also acknowledge that the member for Gregory has long supported the connection of Indigenous people with the land and I thank him for recognising that the bill will assist in furthering that endeavour. I appreciate the opposition's support of the bill and the view of several members that the bill strikes the right balance. A bill like this should enjoy bipartisan support, and I am very pleased today to see that it has.

In particular, the bill recognises that the grazing industry has been and remains an integral part of the economy and the life of Cape York Peninsula. Provision is made for leaseholders to gain 75-year leases if they commit to protecting outstanding conservation values and to enter into Indigenous land use agreements. Careful consideration will also be given to the impact on the overall industry if specific leases are to be surrendered, especially for conservation purposes. This consideration will include consultation with the Cape York Peninsula Regional Advisory Committee and the Cook Shire Council.

Equally importantly, the bill will look to the future conservation of Cape York's natural values which have been widely acknowledged as being of world-class significance. The opportunity exists to identify and declare areas of international conservation significance and to develop integrated management plans for national parks and nature refuges in the area.

Environment groups have acknowledged the importance of joint management of national parks with Indigenous owners as an integral part of the conservation of the cape. I would like to reassure both the Leader of the Opposition and the member for Gregory that the advisory committees established within the bill will contain appropriate representation. I note some of their concerns that somehow these committees will be stacked. Can I say that we would not be standing in the House today debating this bill in the way that we are if goodwill had not characterised the discussions to date. I expect that spirit to continue in the formation of these committees and I expect them to be committees that will enjoy the confidence of stakeholders. In fact, interested stakeholders will have the opportunity to provide nominations for the Cape York Peninsula Regional Advisory Committee and these nominations will be broadly representative of the constituency of the region.

In relation to the scientific and cultural advisory committee, membership will be based on individual expertise. Clearly, it will be important that representatives on this committee have the skills to provide the necessary advice on the economic, cultural, environmental and social issues in the cape. But I do say, as I intimated earlier, that it is equally important that the membership of these committees inspires confidence from all of the stakeholders and all of the residents in this area. As significant appointments, the membership will require the scrutiny of the government which will provide a further check in the composition of the committees.
The member for Charters Towers asked whether or not recreational fishing rights would be affected by the creation of national park (Cape York Peninsula Aboriginal land) under the bill. I can assure the member that there will not be any change to recreational fishing practice in national parks as a result of this bill. Obviously, recreational fishing in national parks will be subject to continual appraisal of its impact on natural and cultural values and regulated accordingly, as it is in other national parks. But there is nothing in this bill that changes current practice in that regard.

A number of members have spoken about the provisions of the bill that allow for the commercial use of crocodile products derived from eggs collected from the wild under a specific scientific study. In particular, I note comments by the member for Glass House, and I would like to give her a number of reassurances in relation to her specific questions. Firstly, amendments are proposed during the consideration in detail stage to clearly define the approach that is to be taken for the scientific research associated with determining the sustainable harvest of crocodile eggs. I would like to reassure the member for Glass House and all of the other members who have raised this issue that the proposed approach for the research will ensure that it is scientifically rigorous. The amendments will make that abundantly clear, certainly much clearer than in the current drafting of the bill.

Information will need to be gathered through a baseline study of crocodile populations in western Cape York Peninsula to determine a number of matters, including the number, the size, the distribution and the maturity of estuarine crocodiles as well as the recruitment rates of the population. This information will be a prerequisite for any potential research involving egg removal. So nothing can happen in relation to permits for egg removal for research purposes without that baseline data being collected and analysed in a very rigorous, scientific way.

There will be amendments to the bill that will allow for an expert panel to consider the research findings in the baseline data and make a recommendation on the time needed for this initial study. In the formation of the panel, preference will be given to experts with experience in research and management of wild populations of estuarine crocodiles in Queensland. For example, Professor Craig Franklin and Emeritus Professor Gordon Grigg are both very well known experts in Queensland on this issue. It is the government's intention to invite both of these scientists to be members of the panel. I do note, however, that this is not an area in which there are thousands of well-known researchers, and the bill is drafted in a way to allow for flexibility in the future should there be an estuarine crocodile expert that does not necessarily have the expertise in Queensland that these people do. But we will be doing everything in our power to ensure that the scientists who are advising us are scientists with recognised expertise and background in Queensland estuarine crocodiles.

I am also pleased to advise that the Department of Primary Industries and Fisheries has agreed to provide funding for this baseline study. All of those involved will agree with me, I think, that today is an important occasion for the recognition of the traditional owners of Cape York Peninsula in the management of their land. The bill provides Indigenous people of Cape York with greater recognition and autonomy in the ongoing delivery of land management in areas of conservation significance. This is to be achieved through a new model for tenure resolution whereby a new class of protected area under the Nature Conservation Act 1994 is created to enable a perpetual national park to coexist with Aboriginal land. This is a unique solution to the unique circumstances that exist in this particular part of our state.

The bill has also been developed to address the special needs of Indigenous communities on Cape York Peninsula that have had limited opportunities for economic development. The bill provides them with that opportunity while also recognising and protecting the internationally significant environmental values of the cape. It will allow limited vegetation clearing to enable the Indigenous communities to undertake economic development only within areas declared as Indigenous community use areas. The development of a special clearing code in consultation with relevant stakeholders will allow limited clearing for economic development while still maintaining the unique, intact landscape of the cape and the environmental values that go along with that.

Other areas of the state have already had a significant level of clearing and opportunities for economic development. The bill debated here today builds on the recent achievements of the Queensland government including the completion of land tenure negotiations with traditional owners at Marina Plains, Kalpowar, Archer Point, Dowlings Range and Melsonby. It presents a significant opportunity to further protect the natural and cultural values of Cape York Peninsula whilst enhancing the social and economic circumstances of our Indigenous communities.

Again, I conclude by thanking all members for their contribution to the debate and all of the stakeholders who have worked so hard to find solutions to seemingly intractable problems. There are many people who have been involved with the development of this bill and in the policy and legislative framework that underpins this legislation, and some of them have been involved for a very long time. No doubt there are some who have been involved in this who thought the day would never come when we would find a way through some of those seemingly intractable difficulties. I think at times like this it is important to take a moment to recognise that things that seemed beyond our powers to solve actually can be solved with enough hard work and enough goodwill. For all of those stakeholders who were
involved, this is an historic arrangement and your involvement with it is the reason that we are standing here today. So thank you for your efforts and the personal commitment that people made to ensure that this could become a reality.

I would also like to thank all of the departmental officers. This bill represents a great deal of effort across a number of government departments, which is often another reason why this sort of solution takes a long time to find. There have been a number of government officers in a number of government agencies who have worked to make this bill a reality.

I also thank the member for Cook for his contribution to the debate. The member for Cook represents this remarkable part of our state in this House. I think he is someone who, it is fair to say, works very hard to make sure that he represents what are often competing interests. This bill today is one of those opportunities when those competing interests can come together in the interests of everybody. I thank the member for Cook for his contribution to this process. With those words, I commend the bill to the House and I look forward to seeing it in operation in the very near future.

Division: Question put—That the bill be now read a second time.
Resolved in the affirmative under standing order 108.

Consideration in Detail

Clauses 1 to 18, as read, agreed to.

Clause 19 (Development in indigenous community use area)—

Mr WALLACE (4.50 pm): I move the following amendments circulated in the Premier’s name—

1 Clause 19 (Development in indigenous community use area)—

At page 13, lines 31 to 34—

omit, insert—

‘(vii) the nature and extent of any other thing done or proposed to be done in addition to the development that has had, or may have, a beneficial impact on the natural values of the indigenous community use area or land in its vicinity;’.

2 Clause 19 (Development in indigenous community use area)—

At page 14, line 26—

omit, insert—

‘not happen or ends; and
(vi) any other thing done or proposed to be done, as mentioned in paragraph (b)(vii), is on balance beneficial to the natural values of the indigenous community use area or land in its vicinity; and
(vii) the development can not be carried out without the proposed clearing.’.

Amendments agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 23, as read, agreed to.

Clause 24 (Special provision about particular scientific purposes permit)—

Mr WALLACE (4.51 pm): I move the following amendments circulated in the Premier’s name—

3 Clause 24 (Special provision about particular scientific purposes permit)

At page 17, lines 11 to 17—

omit, insert—

‘(b) is granted to the State or to a tertiary institution or other institution administered by the State or Commonwealth for the conduct of research to assess the ecological sustainability of the wild harvest of estuarine crocodile eggs in the study area.’.

4 Clause 24 (Special provision about particular scientific purposes permit)

At page 17, lines 24 to 30, and page 18, lines 1 to 3—

omit, insert—

‘(4) However, before granting the scientific purposes permit, the chief executive of the department in which the Nature Conservation Act 1992 is administered must be satisfied that—

(a) having regard to the relevant information and other information the chief executive considers appropriate, the granting of the permit will not adversely impact on the ecological sustainability of the estuarine crocodile population in the study area; and

(b) the proposed research under the permit will be appropriate to decide whether the harvest of estuarine crocodile eggs in the study area would impede the recovery of the estuarine crocodile population; and

(c) the holder of the permit will have an appropriate program for monitoring the impact of the research on the estuarine crocodile population.

‘(5) The holder of the scientific purposes permit must ensure that any commercial benefit derived from dealing with the crocodile eggs under the permit is used to support the economic development of indigenous communities in the study area.'
Mr McNAMARA: In this section—

*current research findings* means information obtained after a period of study of—

(a) if an expert panel considers it appropriate in all the circumstances—1 or more years decided by the panel; or

(b) otherwise—at least 2 years.

*expert panel* means a panel of persons, established by the chief executive of the department in which the *Nature Conservation Act 1992* is administered, with expertise and experience in research and management of Australian wild estuarine crocodiles.

*relevant information*, in relation to a scientific purposes permit, means the following information given by the expert panel—

(a) current research findings on the distribution, genetics, migration, number, age and size of estuarine crocodiles in the study area;

(b) current research findings on the distribution and number of nests, the nesting success and the survival rate to maturity, of estuarine crocodiles in the study area;

(c) other information, including, for example, details of nest sites and the maximum number of eggs proposed to be taken in the study area under the permit.

*scientific purposes permit* means a scientific purposes permit under the *Nature Conservation Act 1992*.

*study area* means the land, in the central western coastal part of the Cape York Peninsula Region, within the following boundary—

- from latitude 13º30’ south, longitude 141º15’ east to latitude 13º30’ south, longitude 142º6’ east
- to latitude 15º42’ south, longitude 142º6’ east
- to latitude 15º42’ south, longitude 141º15’ east
- to latitude 13º30’ south, longitude 141º15’ east.

Amendments agreed to.

Mr JOHNSON: This is the one clause in the legislation that does cause the opposition some concern. I just want to check this with the minister. We had a briefing just prior to coming in here to debate the legislation. Whilst I could not stay for the duration of the briefing, the departmental officers explained things very well. Clause 24 deals with the special provision about particular scientific purposes permits. It provides that before granting the scientific purposes permit there must be an initial study of two years on the sustainability of the crocodile population. Only after the study may a scientific research permit be issued and only if the initial studies find that there will be no adverse impact. Why can these studies not run concurrently? I believe that under the legislation, as it currently stands, they should be able to run concurrently. Who will make up the expert panel? Who will fund the study in question? Who will carry out that study?

Mr McNAMARA: I thank the honourable member for Gregory. I join with the member in congratulating the departmental officers who have been so assiduous in briefing members of the opposition as well as government members. There is perhaps a little bit of confusion around this clause.

As the Premier said at the outset, the issue is to make sure that the taking of crocodile eggs and their use for commercial purposes goes forward on good science. Frankly, at this time we do not have that. The issue is to simply establish a baseline study. This legislation is consistent and supports the integrity of the *Nature Conservation Act 1992*.

What is required before the granting of a scientific permit to any organisation to collect the eggs is that the chief executive officer—essentially at this point the director-general of the EPA—has to be satisfied in relation to a range of things. The relevant information in clause 24(4) is later defined in the clause to include a range of things. They do not have to be run consecutively. The simple operation of this clause is such that before the director-general can grant that permit he or she has to be satisfied that this relevant information has been gathered and presented. The time frame that is in the legislation is two years, but that can be brought back to one year if the relevant experts decide that they have managed to get that information in that time.

With respect to what the honourable member for Burdekin said, there is no minimum time frame of four years. It is simply a process that requires that the chief executive of my department must be satisfied before granting that permit. This legislation provides that there would be a baseline study which we would expect will take two years given where the season is now. It can in fact be less than that if so determined. But we will get the advice from the experts. It is about getting those experts.

As the Premier has already suggested, Professors Craig Franklin and Gordon Grigg are the sorts of people we would expect to be giving that advice. We will be guided here by science. At the end of the day, there is a very strong commitment in this legislation and within this government to empower local Aboriginal people to do what can be done in terms of economic growth and development through developing these sorts of industries but it will come off good solid science to start with. DPI&F is funding the study.

Mr JOHNSON: Who will fund the study and who will carry out the study?

Mr McNAMARA: DPI&F will fund the study. DPI&F and the scientists who become part of the defined expert panel will carry out the study.
Mr Johnson: I do not want to take too much of the time of the House, but there are a few issues I want to clarify. I thank the minister for the answer. The minister might like to inform the House what the time frame will be before the studies commence. Will it be when the legislation is ratified? Can the minister confirm that if a funding source is not found these studies will not take place?

Mr McNamara: Can I assure the House that the studies will take place. DPI&F is currently working with the EPA to establish an acceptable design for the proposed study. It is the intention to go forward with that study as soon as that can be put in place and the required experts gathered. It is certainly not the intention of the government to do anything other than get the science and allow this process to go forward.

Mr Johnson: The amendment states—

(b) is granted to the State or to a tertiary institution or other institution administered by the State or Commonwealth for the conduct of research to assess the ecological sustainability of the wild harvest of estuarine crocodile eggs in the study area.

There is a facility on the Edward River where they are currently doing monitoring and investigative work. Are they going to fall into that category?

Ms Male: They are farming crocodiles.

Mr Johnson: I know they are.

Mr McNamara: The short answer is no. It is considered important for the integrity of the process that that study be run by an academic institution or by academics in consultation with DPI&F so that we do not have, at this early stage, the people who are interested in the commercial outcome also running the scientific examination of whether it is the right outcome. That is no reflection whatsoever on the good work that is being done there currently. It is, however, a reasonable step to put in place. I want to assure the member that the intention here is to do the science and to do good science and then make good decisions about looking after the crocodiles but also advancing the interests of Aboriginal landholders in the area.

Mrs Menkens: I thank the minister for his explanation. As I said earlier, I certainly welcome the fact that harvesting of the eggs of crocodiles in the wild is being looked at. I refer again to the funding, because the minister said that the DPI&F will be looking after this research, and that makes sense. Specifically, is that funding budgeted government funds within the DPI&F or will the DPI&F be looking for outside support in terms of funding to come from other sources for this? If so, what would those sources be? We are interested in looking at that. We are aware that the DPI&F is running on limited resources. Its funding has been cut a lot over the years and this is an extra impost on the DPI&F. I am interested to know what sources it will be drawing on in terms of funding to fund this research.

Mr McNamara: I can again assure the member for Burdekin that the funding will come entirely from DPI&F’s existing budget allocations, and I am not just saying that because the minister is not here. The consideration has been taken among a number of ministers and somewhere between $100,000 or $150,000 is anticipated to be spent. The DPI&F budget has the capacity to allocate those funds to the study. So there will not be a need to seek outside funding. There will obviously be a need to engage the experts that we want to make sure that we do good science.

Clause 24, as amended, agreed to.

Clause 25—

Mr Johnson (5.01 pm): Clause 25 deals with special provisions about pastoral leases. It also deals with efficiency in relation to converting a lease to other purposes. The bill also allows the minister to do a conversion but does not compel the minister to consult with agriculture. Will the minister guarantee today to consult with affected landholders? Why is it not spelt out in the legislation that the minister will consult with landholders? Will the minister also consult with peak agricultural bodies that represent agriculture at this time?

Mr Wallace: The member for Gregory has a very valid point. I discussed this with Peter Kenny in Mareeba a fortnight ago when we were up there for Blueprint for the Bush. I gave a commitment to Peter that I would certainly be consulting with him. I think it is essential—and the member for Gregory touched on this in his speech during the second reading debate—that we allow for a viable beef industry on the cape. In transferring any of that land in terms of surrendering pastoral leases, we must ensure that there is no detriment to the beef industry in the area.

I can certainly indicate that I will be consulting as widely as possible with local landholders and AgForce in particular, which does a mighty fine job up there. It is not spelt out in the clauses because it is simply a standard practice that I would adopt. We have a very good working relationship with AgForce in terms of this. Indeed, the member for Cook mentioned a meeting he had with Graham Elmes, who represents AgForce, who certainly supported this bill. It would be something that we would do in due course before surrendering any of those pastoral leases to ensure that we had a viable pastoral industry on the cape. I also spoke to Peter Kenny about ensuring that, where Aboriginal communities want to start pastoral grazing industries, AgForce gives them a hand to get them off the ground. If we can build
up the herd in that area without detriment to the environment, I think it is advisable to give good jobs to those people in Aboriginal communities. I will certainly be consulting with AgForce, the communities concerned and graziers and other pastoral holders in the area.

Clause 25, as read, agreed to.
Clauses 26 to 33, as read, agreed to.

Clause 34 (Amendment of s 39 (Permitted dealings with transferred land))—

Mr WALLACE (5.04 pm): I move amendment No. 5 circulated in the Premier’s name—

Clause 34 (Amendment of s 39 (Permitted dealings with transferred land))—

At page 22, lines 3 to 6—

omit, insert—

'(b) must not, other than under the Nature Conservation Act 1992, section 42AD or 42AE, transfer, grant or otherwise create, or consent to the creation of, any other interest in the land.

'(10) Subsection (9)(b) applies despite any other Act.’.

Amendment agreed to.
Clause 34, as amended, agreed to.
Clause 35, as read, agreed to.

Clause 36 (Amendment of s 76 (Permitted dealings with granted land))—

Mr WALLACE (5.05 pm): I move amendment No. 6 circulated in the Premier’s name—

Clause 36 (Amendment of s 76 (Permitted dealings with granted land))—

At page 22, lines 30 and 31, and page 23, lines 1 and 2—

omit, insert—

'(b) must not, other than under the Nature Conservation Act 1992, section 42AD or 42AE, transfer, grant or otherwise create, or consent to the creation of, any other interest in the land.

'(11) Subsection (10)(b) applies despite any other Act.’.

Amendment agreed to.
Clause 36, as amended, agreed to.
Clause 37, as read, agreed to.

Clause 38 (Insertion of new pts 5A–5C)—

Mr WALLACE (5.06 pm): I move amendments Nos 7 to 13 circulated in the Premier’s name—

Clause 38 (Insertion of new pts 5A–5C)—

At page 24, line 9, 'particularly'—

omit.

Clause 38 (Insertion of new pts 5A–5C)—

At page 24, line 16, 'relevant'—

omit, insert—

'applicable'.

Clause 38 (Insertion of new pts 5A–5C)—

At page 24, line 21, 'relevant'—

omit, insert—

'applicable'.

Clause 38 (Insertion of new pts 5A–5C)—

At page 25, lines 21 to 24—

omit, insert—

'(a) it is proposed that a land trust hold land in the Cape York Peninsula Region as Aboriginal land; and
(b) the State and the land trust agree that the land, or part of'.

Clause 38 (Insertion of new pts 5A–5C)—

At page 27, line 23—

omit, insert—

'(4) An indigenous management agreement about the management of land can not be entered into without the consent of the environment Minister.

'(5) In this section—'.

Clause 38 (Insertion of new pts 5A–5C)—

At page 29, lines 1 to 7—

omit, insert—

'(2) Before the national park land is granted under this Act, the land trust for the land must enter into an indigenous management agreement with the State about the management of the national park land.

'(3) A grant of the national park land under this Act is subject to the condition that the national park land must become a national park (Cape York Peninsula Aboriginal land). '.
Amendments agreed to.

Mrs MENKENS: Mr Deputy Speaker, could I ask for a little more clarification from the minister on clause 38 because we had a very late briefing on it. If I could respectfully seek some further clarification and explanation of clause 38.

Mr DEPUTY SPEAKER (Mr Hoolihan): The question is that clause 38, as amended, stand part of the bill, in relation to which the member for Burdekin has asked a question. I call the minister.

Mr WALLACE: Clause 38 relates to the establishment of land trusts. The proposed amendments provide that within two years after a land trust is established, or a further period approved by myself as minister, and the land trust is not entered into an Indigenous management agreement with the state about the management of the land, I may by gazette notice dissolve the land trust. That is a fairly standard clause, but we have not established any trusts where no agreement has been reached in relation to land trusts. It just ensures that we continue negotiations and do not have outstanding issues where there does not need to be that impediment in the way of good negotiation.

Clause 38, as amended, agreed to.

Clauses 39 to 48, as read, agreed to.

Mr WALLACE (5.08 pm): I move amendments Nos 14 to 16 circulated in the Premier’s name—

14 Clause 49 (Insertion of new pt 4, div 3, sdiv 2)—

At page 33, lines 26 and 27—

‘(b) the Minister is satisfied an indigenous management agreement about the management of the Aboriginal land has been entered into.’.

15 Clause 49 (Insertion of new pt 4, div 3, sdiv 2)—

At page 34, after line 2—

‘(3) Despite any other Act, the dedication under the regulation is taken to have effect on the delivery of the deed of grant over the national park land to the grantees of the area under the Aboriginal Land Act 1991.’.

16 Clause 49 (Insertion of new pt 4, div 3, sdiv 2)—

At page 34, lines 24 to 29—

‘(a) under the Aboriginal Land Act 1991, a land trust has entered into an indigenous management agreement for the land; and’.

Amendments agreed to.

Clause 49, as amended, agreed to.

Insertion of new clause—

Mr WALLACE (5.09 pm): I move amendment No. 17 circulated in the Premier’s name—

17 After clause 49—

At page 36, after line 16—

‘49A Amendment of s 62 (Restriction on taking etc. of cultural and natural resources of protected areas)

‘(1) Section 62(1)(b), before ‘any’—

insert—

‘an indigenous management agreement in relation to the area or’.

‘(2) Section 62(7), definition national park—

omit, insert—

‘national park includes a national park (Aboriginal land), national park (Torres Strait Islander land), national park (Cape York Peninsular Aboriginal land) and national park (recovery).’.’.

Amendment agreed to.

Clauses 50 to 54, as read, agreed to.

Clause 55 (Amendment of schedule (Dictionary))—
Mr WALLACE (5.10 pm): I move the following amendment circulated in the Premier’s name—

18 Clause 55 (Amendment of schedule (Dictionary))—

At page 39, line 6—

*omit, insert—*

‘land.

*national park (Cape York Peninsula Aboriginal land)* means an area dedicated under this Act as a national park (Cape York Peninsula Aboriginal land).’.

Amendment agreed to.

Clause 55, as amended, agreed to.

Clause 56, as read, agreed to.

Clause 57 (Insertion of new pt 2, div 4A)—

Mr WALLACE (5.10 pm): I move the following amendment circulated in the Premier’s name—

19 Clause 57 (Insertion of new pt 2, div 4A)—

At page 39, lines 17 to 23—

*omit, insert—*

‘(1) The Minister may prepare and make a code for the clearing of vegetation for development that the Minister is satisfied, under the CYPH Act, is for a special indigenous purpose (the **special clearing code**).

‘(2) Before making the code, the Minister must consult with—

(a) the relevant landholders; and

(b) the Cape York Peninsula Regional Advisory Committee.

‘(2A) To prepare the code, the Minister may consider any matters stated in the CYPH Act, section 18 or 19, the Minister considers relevant to the clearing of vegetation for development mentioned in subsection (1).

‘(2B) Subsection (2A) does not limit the matters the Minister may consider.’.

Amendment agreed to.

Clause 57, as amended, agreed to.

Clauses 58 and 59, as read, agreed to.

Clause 60 (Amendment of s 22A (Particular vegetation clearing applications may be assessed))—

Mr WALLACE (5.11 pm): I move the following amendments circulated in the Premier’s name—

20 Clause 60 (Amendment of s 22A (Particular vegetation clearing applications may be assessed))—

At page 41, line 25, ‘Section’—

*omit, insert—*

‘(1) Section’.

21 Clause 60 (Amendment of s 22A (Particular vegetation clearing applications may be assessed))—

At page 41, after line 30—

*insert—*

‘(2) Section 22A(2A)(a), ‘or (i)”—

*omit, insert—*

‘or (i) or subsection (2AA)”.

‘(3) Section 22A(2C)(a), ‘or (j)”—

*omit, insert—*

‘or (j) or subsection (2AA)”.

Amendments agreed to.

Clause 60, as amended, agreed to.

Clauses 61 and 62, as read, agreed to.

Insertion of new clauses—

Mr WALLACE (5.12 pm): I move the following amendment circulated in the Premier’s name—

22 After clause 62—

*insert—*

‘62A Amendment of s 31A (Application of sdiv 1)—

‘Section 31A(a)—

*omit, insert—*

‘(a) a person who is the owner of land within a wild river area proposes to carry out activities on, or take natural resources from, the land; and’.
'31FA Nature and effect of particular amendment about property development plan

'(1) Without limiting section 31F(1), an amended declaration for a wild river area may state that the carrying out of an activity, or taking of a natural resource, to which a property development plan applies is an activity or a taking that may happen in the high preservation area under the declaration.

'(2) Subsection (3) applies if, under an amended declaration, the carrying out of an activity, or taking of a natural resource, is stated to be an activity or a taking (the permitted action) that may happen in the high preservation area under the declaration.

'(3) To the extent another Act, or section 42 of this Act, regulates or prohibits the carrying out of activities or taking of natural resources in a high preservation area, the permitted action is taken to be an activity or taking that happens in the preservation area under the declaration.'.

Amendment agreed to.

Clause 63 (Amendment of s 44 (Relationship with other Acts))—

Mr WALLACE (5.12 pm): I move the following amendment circulated in the Premier’s name—

At page 42, line 16, ‘affect’—

omit, insert—

‘effect’.

Amendment agreed to.

Clause 63, as amended, agreed to.

Clause 64, as read, agreed to.

Insertion of new clause—

Mr JOHNSON (5.13 pm): I am concerned about clause 65, which the minister has just inserted, and which includes the definition of ‘owner’ in the schedule. I am concerned that new clause 65(b)(iii) refers only to people who hold mining leases and mineral development licence holders as being owners. That omits the holders of exploration permits.

Before we went into the consideration in detail stage I asked the minister why this amendment does not include the holders of exploration permits and whether he would include exploration permit holders in that amendment. I now move an amendment to clause 65—

At page 42, after line 25—

insert—

'Schedule, definition owner—

omit, insert—

‘owner, of land—

(a) for part 2, division 2A, means any of the following—

(i) the registered proprietor of the land;

(ii) the lessee or licensee under the Land Act 1994 of the land;

(iii) the person or body of persons who, for the time being, has lawful control of the land, on trust or otherwise; and

(b) otherwise, means any of the following—

(i) the registered proprietor of the land;

(ii) the lessee or licensee under the Land Act 1994 of the land;

(iii) the holder of a mineral development licence, mining lease or exploration permit under the Mineral Resources Act 1989;

(iv) the person or body of persons who, for the time being, has lawful control of the land, on trust or otherwise;

(v) the person who is entitled to receive the rents and profits of the land;

(vi) any other person, if the person is in lawful occupation of the land.'.

As I have just said, this amendment arises out of discussions that I had with the minister and also with the mining industry. It makes this legislation consistent with the Mineral Resources Act 1989. The amendment simply includes those who hold an exploration permit in new clause 65(b)(iii).
It is important that any loopholes are filled before the bill is enacted. Those who hold an exploration permit should be included in order to retain consistency with other acts. I urge the minister to support this amendment. My amendment simply includes, in new clause 65(b)(iii), the words 'exploration permit' and then the following—under the Mineral Resources Act 1989.

Mr WALLACE: The government accepts the amendment moved by the member for Gregory. Again, the government wishes to compliment the member for Gregory and the opposition for the way in which they have conducted themselves in the passage of this bill. It is a great day for the Queensland parliament when we can work together and at the end of the day get the best legislation.

Non-government amendment (Mr Johnson) agreed to.

Schedule, as read, agreed to.

Third Reading

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

Long Title

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

ORDER OF BUSINESS

Hon. CA WALLACE (Thuringowa—ALP) (Acting Leader of the House): I move—

That government business order of the day No. 2 be postponed.
Motion agreed to.

QUEENSLAND HERITAGE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 23 August (see p. 2867).

Mrs MENKENS (Burdekin—NPA) (5.17 pm): I rise—and I am very happy to—to speak to the Queensland Heritage and Other Legislation Amendment Bill 2007. I would like to acknowledge that the opposition certainly supports the intent of this legislation, but it has some concerns about it and we will seek further clarification from the minister. This bill amends the Queensland Heritage Act 1992 and the Integrated Planning Act 1997.

There is a growing recognition of the wealth of Queensland’s and Australia’s cultural heritage and its importance to how we see ourselves in the world. The protection and the valuing of cultural heritage are essential elements of a civilised society. In simple terms, our cultural heritage is the recording and study of the history of past achievements and the preservation of materials and artefacts symbolising that. As with the creative arts, these cultural heritage places and artefacts are an important medium for the promotion of our state’s identity in urban areas and also in country areas. Cultural heritage is an essential element of regional identity. It depicts who we are, where we have come from and it is a visible reminder for generations to come.

The natural and the built heritage of Queensland is of irreplaceable value and must be protected for the enjoyment and the education of future generations. It depicts the history and the evolution of Queensland and Queenslanders today and as future generations evolve it becomes an intrinsic part of that process.

I will outline briefly the principal objectives of the bill. The legislation will enable the Queensland Heritage Council to perform a more strategic role in conserving Queensland’s cultural heritage. The Queensland Heritage Council’s day-to-day responsibilities for the administration of the Heritage Register, along with its role as a referral agency for development applications under the Integrated Planning Act 1997, has been now transferred to the Environmental Protection Agency. Therefore, the actual entry process of a heritage site will be altered. However, the Queensland Heritage Council will continue to decide what is entered and what is not entered into the Heritage Register.

This bill aims to introduce more accountable, more transparent and more efficient administrative processes for entering places into and also removing places from the Queensland Heritage Register and for regulating the development of registered places. The process for entering places or removing places from the Heritage Register has been comprehensively revised to deliver a system that is
transient and, hopefully, will be streamlined and accessible. The amendments are also aimed at establishing clear time frames for decisions and ensuring early engagement with owners and the community about applications that are being considered for the Heritage Register.

This legislation will integrate the identification and the protection of historical archeological places into the management framework of the Queensland Heritage Register. Currently the Queensland Heritage Council is a concurrence agency for heritage matters under the Integrated Planning Act 1997 and it decides all development applications for registered places. To meet the policy objectives, these amendments transfer concurrence agency responsibilities to the Environmental Protection Agency. This is quite a significant change to the legislation. In line with its role in regulating development, the Environmental Protection Agency will be responsible for exemptions. The inclusion of a new category, archeological place in the Heritage Register, will ensure information is easily accessible. The bill also provides specific archeological criteria for the entry of an archeological place into the Heritage Register.

I note that the bill also introduces improved protection for local heritage places. These amendments will assist local governments that do not have protection for heritage in their planning schemes by providing a simple process for keeping local heritage registers. The local government will decide what is entered into its register. An integrated development assessment code will provide a consistent basic level of protection for local heritage places.

I note that currently many local government areas have their own local government heritage assessment processes. Some concern has been expressed that this new provision will put too much of an impost on local governments that, at this stage, have not yet put these processes in place or that may not have the resources to fully fund them. However, this is an area that we will be monitoring. I look for further clarification from the minister on the impacts on smaller councils that may not have the resources to do this. I also ask: is this passing responsibility from the EPA to local governments and councils?

The bill replaces the meaning of ‘cultural heritage significance’. I will go through several definitions of ‘cultural heritage’. To this extent, I will be taking the liberty of referring to some of the material in the research brief on the bill. I take this opportunity to commend the Queensland Parliamentary Library for its excellent research brief on the bill. It really is magnificent reading. Anybody who is at all interested in heritage matters will find the brief well worth reading.

What is Queensland cultural heritage? The Queensland Parks and Wildlife website states—

Cultural heritage is based on aspects of our past that we want to keep, appreciate and enjoy today and to pass on to future generations. Those aspects of our past might evoke special meaning for us as individuals or as members of a community, and reflect particular customs or beliefs.

The Queensland government’s recent discussion paper on the review of the act contained the following explanation of cultural heritage, which has a slightly different meaning. It states—

Cultural heritage sites and places are those parts of our landscape which are important to the community, or to sections of the community, because of their cultural heritage significance or value. They are places which contribute to an understanding of who we are and where we came from; they contribute to our sense of identity as individuals and our sense of continuity as a community. They are the places which we would like to keep.

I compare that to the final report of the Cultural Heritage Ministerial Advisory Committee, which made the following statement about cultural heritage—

Queensland’s cultural heritage places are rich and diverse, consisting not only of buildings, structures and landscapes that survive from the past, but also the histories of the communities who have made their home in this country. Our cultural heritage places are central to how we see ourselves, and to our identity as individuals, communities, and as a State and Nation. They reinforce our sense of local and regional identity. They help enhance the quality of our lives, improve our sense of well being, and are a catalyst for social and economic change.

The Queensland Heritage Act states—

‘Cultural heritage significance’, of a place or object, includes its aesthetic, architectural, historical, scientific, social or technological significance to the present generation or past or future generations.

The ‘aesthetic significance’, of a place or object, is defined to include its visual merit or interest.

The bill proposes replacing this meaning of cultural heritage significance with the following definition, to improve the clarity of the definition and to make it more consistent with the definition used in the Commonwealth legislation, and it states—

Cultural heritage significance, of a place or feature of a place, means its aesthetic, architectural, historical, scientific, social, or other significance, to the present generation or past or future generations.

While this may seem long winded, and I certainly acknowledge quoting from the Parliamentary Library research brief, those points are of particular significance when we look at how we assess places, artefacts and features of cultural significance.

I note that the legislation excludes Indigenous cultural heritage. Indigenous cultural heritage is covered under other legislation. The act does not apply to a place that is of cultural heritage solely through its association with Aboriginal tradition or island custom, or a place situated on Aboriginal or Torres Strait Islander land.
The exception to that rule is if the place is of cultural heritage because of its association with European or other culture and then only with the consent of the trustees of the land. With respect to the estimated costs to the government of the implementation, these amendments will increase the Environmental Protection Agency’s heritage responsibilities and consequently the level of resources required to administer heritage matters. While the Environmental Protection Agency will assume significant new roles, it is anticipated that the increased workload can be absorbed into the current allocation.

Debate, on motion of Mrs Menkens, adjourned.

HEALTH SYSTEM

Mr LANGBROEK (Surfers Paradise—Lib) (5.30 pm): I move—

That this House notes the failures of the Beattie/Bligh governments with regard to elective surgery, specialist outpatients, emergency departments and failed management systems and applauds the initiative of planning for more community management in hospitals, in contrast to the federal takeover advocated by Labor.

This morning the Premier made an astounding statement regarding the state of health in Queensland. The Premier’s glowing report card of public hospitals would be warmly welcomed by the Queensland coalition if it were in any way true. Unfortunately, reality exposes the Premier’s rant as merely smoke and mirrors. In fact, for the dozens of people who wasted their day today by waiting for treatment in emergency wards or had their elective surgery operation cancelled or were told that they were not on the specialist outpatient waiting list, the Premier’s deceptive words are downright cruel.

We just have to look at the statistics to see that the Premier’s statement is nothing but empty rhetoric. There are three pillars of a good public health service: elective surgery, specialist outpatients and emergency medicine. They are buckling under pressure as a result of the state Labor government’s bad management, short-sighted vision and lack of investment in health. The most recent Queensland public hospital performance report exposed the state’s burgeoning waiting lists. In June there were 35,000 Queenslanders waiting for elective surgery. A quarter of these patients are still waiting for treatment beyond the national safe standards.

So whilst the Premier and health minister are constantly putting out statements and press releases suggesting otherwise, there has been no real marked improvement in elective surgery waiting lists two years after the introduction of the government’s much-vaunted Health Action Plan which the Premier spoke about this morning. That is just one waiting list. The independent Specialist Outpatient Review Committee chaired by Professor Ken Donald uncovered another 144,000 patients waiting to see a public specialist. The interesting statistic from that report—and I table this page—is that of the 144,000 people who are on the list only 32,000 actually have an appointment. There are 112,000 who cannot even get an appointment. That means that 112,000 people are waiting to get on a list, to get on a list, to get on a list. The outpatient waiting list rate of increase is quadrupling the rate of Queensland’s population growth.

Tabled paper: Document titled ‘Outpatients Waiting by Facility, Queensland Public Hospitals, number of new patients waiting for an outpatient attendance as at 1 March 2007 and number of new and repeat patients seen 1 July 2006 to 31 December 2006’.

This is a significant concern considering these patients have not even made it to the elective surgery waiting list. Effectively, the 32,000 are waiting to get on the waiting list, let alone the other 112,000 who cannot get anywhere. Some of them will be waiting literally a lifetime. I say that because the health minister has conceded that because of the state’s lengthy waiting lists some of these patients will never see a doctor. Bureaucrats have stamped their files ‘never to be seen’ and bumped them off the list. But they have not told the patients this. These are the devious ways that the health minister is doctoring waiting lists so that it looks like he is doing his job. Another crafty measure to manipulate waiting lists as part of the announced audit of the specialist outpatient waiting list is writing to patients advising them to go back to their GPs to confirm that they still want to be on the list. I table a copy of a letter to a patient that states—

If you do wish to stay on the waiting list we ask that you contact your general practitioner and request that an updated referral be written and forwarded to the clinic.

Tabled paper: Extract from letter, dated 21 August 2007, on behalf of Specialist Outpatients Administrator, in relation to orthopaedic clinic waiting list.

Patients should not have to get another referral just to stay on the waiting list.

Let us look at the other pillar of the public health system, emergency departments. By national standards, category 2 emergency patients should be treated within 10 minutes. Only 71 per cent of Queensland’s emergency patients are treated within this time. Category 2 and 3 patients, who are classified as urgent, should be treated within 30 minutes and 60 minutes respectively. Here in Queensland, only a third of patients are treated within this time. Clearly these figures show that the Premier’s glowing report of the public health system does not make the grade.

17 Oct 2007  Health System  3697
The Premier and health minister often praise themselves for publicly disclosing these statistics but they fail to mention that they are actually required to by law. Since the Davies and Forster royal commission and report respectively they have been compelled to do that. If their hand was not forced on the issue I guarantee that they would not be releasing this information, as they were not releasing this information before 2005.

The Premier likes to talk about her government’s Health Action Plan, but despite the Premier’s statements this morning we are yet to see any real substance behind the spin. It seems to be the Labor way—a government-by-slogan approach where it hides behind trite catch-phrases with no real policy to back them up. We just have to listen to the federal opposition leader to understand what I am talking about: ‘education revolution’, ‘national health reform plan’ and ‘building prosperity for the next decade’.

The federal opposition leader, like his state Labor mates, is big on rhetoric but short on detail. He talks about ‘ending the blame game’, but his state colleagues are not playing the same game. The Premier and her senior ministers are all too happy to blame the federal government for their problems, which essentially underscores the insidious problem within this Labor government. We just have to look at the health system. This year the health minister, Stephen Robertson, has exploited every opportunity to talk about how the Commonwealth government is short-changing the states on hospital funding. In his absence this morning the Premier championed the health minister’s cause. ‘Our public hospitals’, she said, ‘are failing because the feds aren’t giving us enough money.’

Apart from the Commonwealth’s $42 billion spending on state government run public hospitals, the federal coalition invests billions into delivering better health care through Medicare, the Pharmaceutical Benefits Scheme, the provision of aged-care places, private health insurance and private hospital funding. In fact, federal government health spending has increased from 15 per cent to 22 per cent of the total budget; GP bulk-billing rates are at record highs for children, rural and regional patients and people over 65 years of age. More than 10 million Australians are now privately insured thanks to the federal government’s Private Health Insurance Rebate. The problem with this state government is that it has underfunded spending on public hospitals. The Premier acknowledged as much this morning by saying that the health budget is now double what it was 10 years ago. This government has been in power for eight years and clearly has been underfunding the health system.

The federal coalition recognises that the state-run health systems are not giving patients the best clinical outcomes. That is why the Howard government is taking a new approach to public health care by giving communities a greater say in the provision of health services. Community based hospital boards will re-empower communities by decentralising the system, strengthening clinical networks, as well as improving government accountability. My federal colleagues believe that the best decision-making is made on the ground. This is not something the Premier or the health minister agrees with. They think power should be concentrated in Charlotte Street. By contrast, Kevin Rudd would like to see more centralised power, but he wants to take it off the states and devolve it to Canberra. ‘The buck will stop with me,’ he says.

I would be interested to see how the federal opposition leader plans to be accountable to and attuned to the needs of every hospital in Australia, particularly since his state colleagues have been unable to do so. We know that health ministers in other jurisdictions have rejected that the federal government needs to take over hospitals in accordance with Kevin Rudd’s plan. The health minister has slammed the federal coalition’s plan for more community involvement in hospital administration, but he has been coy on his thoughts about a federal Labor takeover.

The Australian Medical Association, however, does not believe that a federal Labor government will deliver better health outcomes for Queensland patients. In fact, President Rosanna Capolingua supports the system which facilitates greater community involvement and responsibility to Canberra. I table a media transcript of comments by Dr Rosanna Capolingua a couple of weeks ago when this issue was raised—

The AMA has always supported the concept of local boards.

The health minister was very happy to embrace the AMA’s position on state and federal government funding but was not so happy to quote Rosanna Capolingua when it came to the concept of local boards.

Table paper: Extract from AMA media transcript, in relation to local hospital boards.

Finally, the Premier spoke about recruiting an additional 6,000 doctors, nurses and allied health workers over the past two years. I received an answer to a question on notice just in the last month that showed how many Queensland Health staff have left in the last year alone and the answer was nearly 4,700. Nearly 10 per cent of Queensland Health staff are leaving the system every year, which is well above the three per cent separation in police and five per cent in education.

Queensland Health has clearly not turned the corner on health, as the Premier would have us believe. It is important that Queenslanders understand the choices that are being offered to them: a federal takeover as advocated by Kevin Rudd, the opposition leader, or a local takeover as advocated by Tony Abbott, the federal health minister, who has been clearly funding this state government.
adequately over the last number of years and is prepared to negotiate a new health agreement in the new year. This state government has clearly been underfunding public hospitals and is errant in the way it spends its money and it needs to be held to account for it by the people of Queensland at the upcoming federal election.

Dr FLEGG (Moggill—Lib) (5.39 pm): Nothing is closer to my heart than the health care of Queenslanders.

Government members interjected.

Dr FLEGG: They are showing their true colours on the other side tonight, I see. One thing stands out when we look at the health system of this state, as I have done for many years—that is, nothing has changed. It is business as usual and every output measure that the government applies continues to show that what the government is doing is not working. It is extraordinary that this government, after everything we have gone through with health, still has not woken up to the fact that it does not work. The government is not doing it in the right manner.

Let us look at one of the major areas—that is, that this government’s attempt to run Health with a massive bureaucracy has failed. The government was told that it failed by Peter Forster and the other inquiries that we had into the health system. It was made clear that this was one of the major cultural problems that was stopping the provision of clinical care. So what was the response of the government? We had 3,000 additional non-clinical staff put into the health system of this state. So an inquiry told the government that it had too many administrative and non-clinical staff, and the government responded to it by appointing 3,000 more non-clinical staff.

We do not have to go further than some of the piecemeal solutions the government applies to see this in action. When the government failed at Caboolture, when it could not keep the doors open, it went to a different model. The government outsourced it to Aspen. The government should not have had to do that; it should have been able to run it. That is exactly the model we are talking about—where a lot of that administration is cut out and clinicians are allowed to run it. Goodness knows what will happen next February when the government takes back the Caboolture emergency department. It could not run it before and it will not be able to run it again.

The Premier made a ministerial statement this morning. The name of the Premier may have changed but the words have not. In the ministerial statement, we again heard about numbers. We had to treat patients by numbers. We had the number of dollars, being $7.15 billion; we had the number of staff; we had more numbers of dollars. The Premier said that more clinicians and more beds translates to better and quicker patient care. The reality is that it has not.

Firstly, the clinician numbers given are clearly dodgy, but in order to measure the health care that is delivered, we need to measure the outcomes—that is, the waiting lists, the number of operations, the speed with which people are treated in the emergency department and the time it takes to see a specialist. Those opposite will remember that we put this forward as a policy at the last election, and I am delighted to see the federal government say that we need an independent board and some community input to get these things going.

The cries from the other side are extraordinary because I just got on the web site and had a look at this government’s new children’s hospital. What is it run by? It is run by a board, and it is a very impressive board as well with some very prominent Queenslanders. In fact, it is what the Howard government is talking about and what we have been calling for on this side for a very, very long time. I hope the government gets it right for the children’s hospital. If it does get it right, the government needs to learn the lesson that it cannot be done just for a children’s hospital; there are in excess of 100 other hospitals where intractable problems have to be addressed.

We keep getting promises and more promises—for instance, that we will see a Gold Coast hospital. Recently, the government tried to move the hospital from one block of land to another. It is years away in an area that needs the service now—today. Those patients need the care today—not years from now and not because the government cannot decide where to put it. Speaking about where to put a hospital, the Sunshine Coast hospital has had a couple of different moves—again, it is years and years away.

Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (5.44 pm): Our government is rightly proud of its reform revolution to improve the health system of our state for all Queenslanders. Like health systems the world over, Queensland’s health system faces enormous challenges into the future to meet the needs of a growing and ageing population. Our hospitals are already busier than ever before and treating more patients than ever before. That is why we are providing them with the staff and resources to meet the ever-increasing public demand for health services.

I am sorry, Mr Speaker. I move the following amendment—

That all words after “notes” are deleted and the following words inserted:

*the success of the Queensland government in improving our health system for Queenslanders through the $10 billion Health Action Plan which is delivering:

* more clinical staff;
• a new and improved health infrastructure;
• a safer and more accountable health system for patients;
• more hospital beds and quality care for more patients than ever before”.

Opposition members interjected.

Mr SPEAKER: Order! I note that the amendment has been moved by the minister.

Mr WELFORD: I will try again. Our government is rightly proud of its reform revolution to improve the health system for all Queenslanders.

Mr Seeney: There’s no need to start again. You’ve done that bit.

Mr WELFORD: Yes, there is. You want to hear it. You need to hear it.

Mr Seeney: You have done that bit.

Mr WELFORD: Our hospitals are already busier than ever before and treating more patients than ever before.

Opposition members interjected.

Mr WELFORD: They need to know this. That is why we are providing our hospitals with the staff and resources to meet the ever-increasing public demand for health services.

We have made good progress to date, but there is a lot more work to be done. Next week marks the second anniversary of our government’s landmark $10 billion Health Action Plan. Although it is a five-year blueprint for a better health system, we are already seeing real reform, real improvements and real benefits just two years on. As the Premier said earlier today, we are building a first-class health system that is more responsive to challenges, more flexible, more accountable, more patient focused and better resourced to deal with increasing demand.

For example, Queensland Health’s budget this year is a massive $7.15 billion—$770 million more than last year and more than double the health budget of 10 years ago when it was $3.4 billion in 1997-98. Queensland Health now employs 6,000 more clinicians than it did in June 2005, just two years ago. That is 1,073 more doctors, 3,601 more nurses and 1,228 more allied health professionals.

Speaking of nurses, I was heartened by today’s announcement by federal Labor to invest in more new nursing graduates and attract trained nurses back into the hospital system. A Rudd Labor government will aim to put 9,250 extra nurses into Australia’s hospital system in a new $81 million commitment. This will be a welcome investment and is in stark comparison to the neglect by the current Howard government for so many years. This investment will build upon our government’s investment to increase our nursing workforce.

The Bligh government is also investing $3 billion to build new tertiary hospitals on the Gold and Sunshine coasts, plus a new Queensland children’s hospital. We are also building new and upgraded hospital emergency departments across Queensland, from the Gold Coast to Thursday Island. We have already opened hundreds more beds. And we are funding projects that will open more than 2,500 additional hospital beds between 2006 and 2016 at a cost of $3.6 billion.

We are also building a safer and more transparent health system. We have established a fiercely independent watchdog—the Health Quality and Complaints Commission—to monitor standards in health services and investigate complaints with a lot more powers and more resources than its predecessor. We have established a new Office of the Medical Board to tighten the assessment processes for the registration of doctors—indeed, Queensland has amongst the most strict registration requirements of any state in Australia. We now have an unprecedented level of public reporting of hospital performance.

Our system of course is not just about hospitals. We are also investing a record $528.8 million to improve mental health services, and we are improving statewide community health services to address chronic diseases, improve the quality of life for people with chronic diseases and reduce the level of avoidable hospital admissions. On the subject of community health services, I want to raise the opposition’s fascination with local hospital boards. How could anyone efficiently coordinate and provide statewide community health services if the health system was run by individual boards—

Mr Seeney: It worked before.

Mr WELFORD: It did not work before. It never worked. That is why the system needed to be changed. It worked under an old horse and buggy system. It cannot work in a modern, highly developed, fast-growing state like Queensland. It simply would not cope. As I said, how could anyone efficiently coordinate and provide statewide community health services if the health system was run by individual boards operating in isolation with their own systems? Queensland already experimented with local hospital boards under the Bjelke-Petersen regime, and they were a disaster. In the end they were a disaster and they were underinvested in. Our government takes a more modern approach.
Ms STRUTHERS (Algester—ALP) (5.49 pm): I second the amendment moved by the minister. Members opposite are always quick to criticise the health system in Queensland. In doing so, they are criticising the efforts of hardworking nurses, doctors, allied health workers and administrative staff. In doing so, they are saying that the dedicated efforts of these people are not good enough. These clinicians, health workers and administrative staff are working hard to implement the government’s $10 billion Health Action Plan. These clinicians and others are providing quality care to make people well and free of pain. Each time the members opposite criticise and undermine the health system they are having a go at these hardworking people. They are undermining confidence in the system, knowing that the last thing sick people need is to feel more anxious about their care. Their constant undermining and fearmongering is totally irresponsible.

What is their alternative to the Bligh government’s comprehensive $10 billion Health Action Plan? They have a flawed policy. They are yes-men to John Howard in his policy to employ more bureaucrats on hospital boards—a policy that will not deliver one more doctor or one more nurse to our hospitals. My challenge to the opposition is to provide bipartisan support to the major health capital works program underway in Queensland—provide bipartisan support for the statewide efforts to recruit and maintain quality staff in Queensland. My challenge is to value the 60,000-plus Queensland Health workforce, and let them get on with their dedicated efforts without the daily politicking.

The member for Surfers Paradise hides behind his constant media releases and privilege speeches in this House. I put another challenge to him. If the member for Surfers Paradise seriously believes that the John Howard back-to-the-future hospital board policy is best, come along to the statewide meeting of the new chairs of the community health councils next week here at Parliament House. Come along and tell them that you want to sack them and go back to the past with an outdated model. Have the guts to come and front them. Tell them why you want to do that. It was proven to be grossly inadequate. It was a model where boards racked up substantial debts. Come along and tell these people that they are not local people who are having a say in the running of the health system. I bet they disagree with him. I challenge him to come out to the QEII hospital in my local area and tell the staff there that his health policy does not provide them with a new elective surgery centre but simply will scrap their new health council.

My challenge to the member for Surfers Paradise is to acknowledge that there is a massive population growth right now. Work with us in solving these problems. Stop the constant criticising and politicking. To put it bluntly, we are getting older and sicker. If that was not tough enough, we have a national shortage of doctors and nurses brought on largely by the Howard government’s failure to train more clinicians.

Mrs Stuckey interjected.

Ms STRUTHERS: Our emergency departments treated over 880,000 people last year, which is a five per cent increase on the year before.

Mrs Stuckey interjected.

Ms STRUTHERS: With very few exceptions, these people received world-class care. Between April and June this year, Queensland Health also treated over 28,000 people on the elective surgery waitlist.

Mrs Stuckey interjected.

Ms STRUTHERS: Again, that is over 1,000 more people than last year.

Mrs Stuckey interjected.

Mr SPEAKER: Order! Member for Currumbin, you are constantly and incessantly interjecting. You are up on your feet shortly and I would ask you to desist.

Ms STRUTHERS: We are recruiting record numbers of doctors and nurses into our hospitals which is resulting in quicker treatment. Put simply, we have a comprehensive plan to get as many people as possible off the waiting lists. Let us consider what happened 10 years ago under the coalition when it was managing our health system. More than 40 per cent of patients needing semiurgent surgery—category 2 people—were waiting longer than medically recommended. We have now driven this down to around 25 per cent.

Specialist outpatient services are also a priority area of this government. Last financial year alone more than 3½ million Queenslanders were seen and treated—a 7.2 per cent increase on the previous year. There is a lot happening in our system. Our Health Action Plan is about doing things better and smarter. Australia had a proud tradition of a fifty-fifty funding agreement. That was until John Howard came along. Under John Howard, Queensland is coughing up 65 per cent of healthcare funding and the Commonwealth only 35 per cent. Kevin Rudd wants to end the blame game. He clearly has announced a comprehensive plan to work cooperatively with the states. The Rudd government will invest locally in my area with a $7½ million GP superclinic, and many more of these will be set up around the nation. That is what we need: new ideas and new leadership. I know who I am voting for on 24 November, and it is not Mr Howard.
Mr SEENEY (Callide—NPA) (Leader of the Opposition) (5.54 pm): I rise to support the motion moved by the member for Surfers Paradise and to comprehensively oppose the amendment moved to this motion tonight. The amendment that has been moved is a continuation of the ministerial statement that was made by the Premier this morning. I think it highlights once again that this government is all about spin rather than substance. I do not think there is any better example of where the Labor government in Queensland focuses on spin rather than substance than the ongoing health crisis. We heard it this morning from the Premier in her ministerial statement and we see it again in the amendment moved to this motion before the House.

The amendment seeks to perpetuate the falsehood that the Health Action Plan is producing some results that the government can be proud of and that Queensland people can be reassured about. The Queensland people know, as every one of us as members of parliament know, that nothing could be further from the truth. We know in the work that we do on a day-to-day basis in our electorate offices in our communities that the health crisis is still there. They are the measures that matter more than the artificial measures that have been set out in the amendment.

The measures that matter are the people who are on the waiting list—the people who come into our offices because they cannot put up with the waiting periods that they have been asked to endure. There are waiting times to get on waiting lists. There are waiting times just for an appointment to see a specialist. There are totally unacceptable waiting times for people who should be able to access basic health services. Until that is addressed, the government cannot claim any success from the Health Action Plan. Until the government addresses that most fundamental of all measures that indicates the extent to which the needs of the community are being met, then the artificial measures that are included in this amendment mean nothing.

All the claims that the government makes mean nothing. No matter how many times you say it, it does not make it so. The only way you can determine whether or not it is actually so is to go out and measure it properly. The waiting list measure is the one that matters most. The other measures that I would suggest the government should be using include the number of times hospitals are on bypass; the number of times patients get shunted around the city looking for a hospital that is prepared to take them; the number of hours that ambulances spend ramped up in hospital parking lots waiting to get patients into hospitals, and therefore causing a domino effect right back through the Ambulance Service, making it almost impossible for it to play the emergency role that it should be playing.

They are the measures that matter. When those measures indicate that there is no longer a problem, the government can come in here and congratulate itself. It has no right to do so today—two years after the $10 billion Health Action Plan was put in place. There has not been value for money, if that money has been allocated. The problems have not been solved and the health crisis is still very real for too many Queenslanders. We took to the last election the policy of community hospital boards and local community ownership of their health service. It was a management model that was very successful in Queensland’s past.

There are lots of untruths now peddled about hospital boards, but what cannot be denied is that Queenslanders received better health services than they do now. There is absolutely no question that Queenslanders received better health services then than they do now. There was nowhere near the waiting lists. There was no such thing as a hospital bypass. Nobody in those days had heard of a hospital bypass. Nobody waited on a waiting list to get on a waiting list, because the hospital system was able to cope.

The nonsense that is peddled about the amount of debt that the hospital boards had is also extremely misleading. The Goss government used the hospital boards to transfer government debt off the government balance sheet. All of us that were around at that time know that that is what happened. It was not the fault of the hospital boards. It is certainly not a reason to argue that they should not be reintroduced. I welcome the announcement that was made by our federal colleagues that they are going to adopt that management model because it is a management model that works. Let me say to the member for Algester, it will provide extra doctors and extra nurses because the clinicians will want to work in a system where they have the possibility of personal reward.

Mr HOO LIHAN (Keppel—ALP) (6.00 pm): I rise to speak against the motion moved by the member for Surfers Paradise. Apparently he fancies himself as a future health minister. He clearly needs a history lesson in Queensland’s health system if he seriously believes hospital boards are a good idea and sound policy. Despite the comments of the member of Callide, we know that it is an outdated, simplistic model that has already failed in Queensland. I endorse the comment made by the member of Algester, ‘It is back to the future.’

Hospital boards were an absolute disaster when they operated under Joh Bjelke-Petersen and would send Queensland back to the dark ages if they were ever reintroduced. What happened the last time boards were allowed to run our hospitals? From 1963 to 1980 I worked in Magistrates Courts in a variety of towns and localities—a lot more localities than some of those opposite could even dream about—from Cooktown in the north to Brisbane in the south-east, west to Mount Isa and in central western Queensland.
For the whole of that time we had hospital boards. In many of the courthouses where I worked the magistrate was the chairman of the local board and I acted as his clerk. Most of them had a history of public service and discharged their duties admirably. The problem was not with the chairmen but with the people appointed to be members of the local board. For one, most were financially inept and had no idea about the prudent financial management of health services. They borrowed heavily. I was around when they were done away with. I happen to know a little more about it than the member for Caliide seems to know.

They left behind a debt of $313 million for taxpayers before they were scrapped in 1992. Bear in mind that the Commonwealth proposes a funding body for these new boards. Would that not be an additional unmitigated disaster? Secondly, they were stacked with National Party appointees who did the government’s bidding. What will be different under any regime instituted by the Commonwealth or the Queensland opposition?

We have all learned that politicians and political operatives should not in any way interfere in the day-to-day running of our hospitals. What hospital boards will do is create another layer of bureaucracy in our health system. Queensland needs more doctors not more bureaucrats sitting on individual boards. Boards are not going to bring one extra dollar or one extra nurse into our system. They are not going to get one extra patient treated. Boards simply would not work in Queensland’s vast, dispersed health system.

The member for Surfers Paradise and others calling for hospital boards would do well to refer back to a major review of our health system by Peter Forster in 2005. Forster’s review considered hospital boards and concluded at page 69—

Hospital Boards and separate trust authorities operated in Queensland until 1992 and in later years were found wanting as the scale, size, complexity and need for integration of our health services became more pressing.

He went on to say—

Local Hospital or Health Boards are no longer relevant or appropriate for the management of health services.

Even independent experts agree that boards are not appropriate to manage sophisticated health services—they are from a bygone era. To even suggest that such a broad and a complex range of services in a massive state like Queensland could be run by local hospital boards shows just how out of touch the Howard government and those opposite are.

I am not saying that community involvement is not important. The community does have a crucial role to play in the delivery of our local health services. We already have community input through the formation of health community councils and other bodies but we need the day-to-day running of hospitals left up to health experts, which is what is happening now.

Individual boards would also see hospitals working in isolation. We need to have hospitals working together as a network to overcome challenges and problems, not working in competition. What we do not need is neighbouring hospitals bidding against each other to recruit doctors and nurses. That is why we have districts managing multiple hospitals and clinical networks where doctors and nurses at different hospitals work collectively to drive solutions. Under boards these networks and partnerships would collapse.

What Australia and Queensland needs is national leadership on health with new ideas not ancient policy. Australia has waited 11 years for the Howard government to show some real leadership on health reform. It has taken a federal election for Mr Abbott to finally consider reform and his first idea since becoming health minister four years ago is an absolute dud. Where is his planning, economies of scale and detail to justify hospital boards? The Howard government has underfunded hospitals and failed to supply enough Australian trained doctors and Mr Abbott blames state governments for the mismanagement. It is time for the state opposition to get real when it comes to health.

Mrs STUCKEY (Currumbin—Lib) (6.05 pm): In rising to support the motion moved by the shadow minister for health, the honourable member for Surfers Paradise, I am reminded of the huge public protest that was the ‘Save our hospital’ campaign on the Gold Coast back in 1998. I am reminded of the huge public protest that was the ‘Save our hospital’ campaign on the Gold Coast back in 1998. I am proud to have been an integral part of that along with senior hospital medical staff, the general public and other members of the community with different political affiliations to mine. Together with members of this fervent and emotional campaign I was furious that to a large degree the Beattie government arrogantly ignored our pleas and through neglect let our public health system decay to the critical stage that it is in today.

Several thousand people took to the streets of Southport and marched on the Gold Coast Hospital accusing the Beattie government of bullying tactics, a lack of resources and facilities fitting of a hospital in Australia’s sixth largest city, and of driving away specialists and other experienced staff. The Premier responded by turning a deaf ear and let the situation decline further as was revealed in 2005 when commissioner Peter Förster described the Gold Coast health district as one of the worst his inquiry had seen, with the busiest emergency department in Queensland and the most critical bed shortage in Queensland.
Like hundreds of thousands of Queenslanders I have every right to be angry at the facade, spin and untruths that spill so readily from the lips of first Dictator Beattie and now Captain Bligh.

Mr SPEAKER: Order! Can I just say that the member is discussing a former Premier. I have ruled that that word is unparliamentary and I would ask you to withdraw it.

Mrs STUCKEY: I withdraw. This morning in the House the Premier berated those of us on this side of the House for our ongoing criticism of the public health system that the Premier’s government has, through its disgraceful negligence, actually created. What on earth does the Premier expect us to do? Agree with them and lie bald faced to the people of Queensland about the state of their hospitals? Tell them everything is okay while people languish through ill-health waiting to see a specialist or die a miserable death?

My background lies in the health profession and so does my passion and respect for those who work therein. Many of my friends are associated directly with this industry, as is my husband of 30 years. They see firsthand what this Labor government has done to health in this state and they weep. They also resign due to the appalling treatment they receive, the unreasonable workloads, the threats of sacking if they complain and victimisation.

One medical specialist was expected to see 20 patients in an hour. That is three minutes a patient. This is barely permissible for a prescription repeat requiring a blood pressure check let alone an outpatient visiting a specialist for the first time to discuss their fate. But then thousands of patients cannot even get an appointment to get on the waiting list—to get on the real waiting list. Imagine the disappointment they feel when told by an equally disappointed GP that they cannot be seen at all. Meanwhile, their serious illness progresses and, in some cases, kills them before they receive treatment.

Those lefties over there have driven away specialist after specialist, doctor after doctor, nurse after nurse and they have the hide to blame the federal government. Have they no shame? The argument that public hospitals are struggling in other states is not only a lame excuse but should be a reality check for Australians that every state government is Labor and they have all steadily let their public health systems destroy the morale of talented doctors, nurses and allied health professionals.

A culture of bullying still exists. If people speak up they get fired. Ask the paramedics. Some 80 of them gathered outside my office two years ago to protest about unfair roster systems being imposed on them. Many of them turned their backs on their own union and formed a protection agency of their own. One of the first things the new Premier did, and only because she acknowledged the system was in crisis, was review the very rosters paramedics and their families have been complaining about.

Almost a decade on from the biggest public rally that the Gold Coast Hospital had ever seen very little has changed. Cancer patients are being forced to travel to Brisbane for treatment. Top oncology nurses resign. Palliative care patients are callously moved into an inappropriate location in a busy CBD. Hospitals are continuously on bypass.

Tonight on the news there was a report of a near-fatal drowning in a suburban swimming pool at Robina. A distraught mother resuscitated her toddler and called triple 0, but the local Robina Hospital would not admit him as it had no paediatrician. The Bligh government is guilty of deceiving the public by advertising the fact that the emergency department at Robina is open without telling the public that it cannot even deal with paediatric cases.

I applaud new federal government policy that will see the reintroduction of a new model for hospital boards and result in better management structures being put in place. Throughout Queensland I doubt health services are delivering the essential and basic services the public deserves.

Time expired.

Mr WEIGHTMAN (Cleveland—ALP) (6.09 pm): I rise to speak against the motion moved by the member for Surfers Paradise. Here is a fact for the opposition: Queensland public hospitals are busier than ever before and are treating more patients than ever before. Through our $10 billion Health Action Plan, we are providing hospitals with the staff and resources to meet the challenges of a growing and ageing population. We are opening new beds across the state. We are funding new and upgraded emergency departments at the Gold Coast, Robina, Logan, Prince Charles, Redcliffe, Gympie, Rockhampton, Townsville and Princess Alexandra hospitals. In my electorate, the Redland Hospital’s new emergency department is on track to be opened next year. That emergency department has been expanded from 13 to 31 treatment spaces as part of a $15.4 million redevelopment. We are building new hospitals and redevelopment others including Dalby, Weipa, Bundaberg and the QEII.

Our record investment in health is producing record activity in our hospitals. During the 12 months to 1 July 2007 a record 817,132 patients were admitted to our public hospitals—a 4.5 per cent increase on the 781,737 admitted during the previous year. A record 886,829 patients were treated in hospital emergency departments—a five per cent increase on the 844,213 treated in the previous year. A record 3,504,305 patients were treated in specialist outpatient departments—a 7.2 per cent increase on the
constantly criticised for the genuine efforts to right wrongs. He said in a speech in April 1910—

Theodore Roosevelt had a fine appreciation of what it meant to try to do the right thing and to be prefer to be part of the problem and not part of the solution. The great statesman humanitarian growing demand of health care. It is disappointing that the opposition appears disinterested in these positive changes rapidly taking place in Queensland Health. It would seem that, by and large, it would prefer to be part of the problem and not part of the solution. The great statesman humanitarian Theodore Roosevelt had a fine appreciation of what it meant to try to do the right thing and to be constantly criticised for the genuine efforts to right wrongs. He said in a speech in April 1910—

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in a worthy cause, who at the best knows in the end the triumph of high achievement and who at the worst, if he fails, at least he fails while daring greatly.

He went on further to say—

Far better it is to dare mighty things; to win glorious triumphs even though checkered by failure, than to rank with those poor spirits who neither enjoy nor suffer much because they live in the gray twilight that knows neither victory nor defeat.

We acknowledge that there is still more to be done, and that is why we are using our time and effort to get on with the job of improving our health system for Queenslanders. It appears that some of those in the opposition would rather use their time and energy looking for fault rather than finding a way forward. I reject the opposition’s motion and fully support the government’s amendment.

Mr MESSENGER (Burnett—NPA) (6.14 pm): The member for Cleveland and members opposite are not even close to being in any arena when it comes to health. They are all talkers and no doers—all talkers, no doers. I gladly rise to support my shadow health minister’s motion and take this opportunity to publicly express my gratitude to the overwhelming majority of nurses, doctors and allied health workers who, even though they are spectacularly mismanaged and criminally underresourced by this Labor government, still find a way—

Mr SPEAKER: Member for Burnett, I would ask you to withdraw that unparliamentary language.

Mr MESSENGER: I withdraw.

Mr SPEAKER: I warn you not to use that language again in your speech.

Mr MESSENGER: Thank you, Mr Speaker, for your direction. They still find a way of working miracles every day and saving the lives of sick Queenslanders. My message to these health miracle workers is hang in there! Keep fighting! Your patients and their families depend on you. The conservative coalition—National and Liberal, both state and federal—appreciate your work. We understand just how much of a crisis our state system is in, unlike those opposite who have proved that tonight.

At the Bundaberg Hospital where the meltdown in our state public health system became public, staff are still forced to mix children with adults in the paediatrics ward. Accident and emergency patients are forced to wait in hallways for six hours before they are allocated a bed. Recently a 70-year-old cancer patient from Baffle Creek was asked to leave the hospital at two in the morning. There is a six-year dental waiting list. As of April 2007, the total number of patients waiting for elective surgery by surgical specialists at the Bundaberg Base Hospital totalled 459. As of 1 April 2007, 71 patients were waiting for urgent category 1 surgery, 211 patients were waiting for semiurgent category 2 surgery and 177 patients were waiting for non-urgent category 3 surgery. At the same time last year, 64 patients were waiting for urgent surgery as opposed to this year’s total of 71.

Parliamentary Library research shows that there are approximately 35 palliative care beds funded in public hospitals in Queensland—35! Of those, the majority are located in rural and regional areas where some hospitals provide one of their beds for palliative care patients. I was informed by parliamentary research that of the 900 beds at the Royal Brisbane Hospital none are available for palliative care. Of the 750 beds at the Princess Alexandra Hospital none are available for palliative care. There are four palliative care beds at Logan Hospital and Mount Olivet Hospice has 18 public palliative care beds and 10 private beds.

In the Southern Health Service Area the state government spends approximately $500,000 on palliative care. The federal government spends approximately $3.1 million to $3.7 million on palliative care in Queensland’s Southern Health Service Area. This is a disgrace! The federal government outfunds palliative care by over 600 per cent. We have a plan to reduce the wastage of government health funds, and the bedrock of that plan has been articulated by the Prime Minister. The federal
coalition government’s proposal to give greater powers and responsibility to local hospital boards is great news for Queensland and the Bundaberg-Burnett community. Currently, local health boards or councils have been stripped of their powers; all orders come out of Brisbane. John Howard’s plan will reverse that dangerous trend of centralisation of power in Brisbane and give the power, responsibility and accountability back to the people of Bundaberg and Burnett.

Local health boards will have real authority over Queensland Health bureaucrats such as chief executive officers. Under John Howard’s plan, nurse whistleblower Toni Hoffman would have stood a greater chance of uncovering the truth and saving lives at Bundaberg. Toni gave a letter of complaint and warning to the CEO of the Bundaberg Hospital in October 2004, but that complaint was not acted on for at least five months. How many lives could we have saved if we had a health board which controls the CEO rather than the other way around? Under Mr Howard’s plan, the medical specialists and responsible local people on that board would have had the information to blow the whistle. Kevin Rudd—who we all know is the leader of the political party which hired Patel, covered up for Patel, flew Patel out of the country and has failed to get him back—visited Bundaberg Hospital to announce his plan to fix our local health crisis. How can we trust Kevin Rudd when this government has not delivered on the promises that it has already made—a $41 million upgrade and 30 new beds?

Time expired.

Mrs SMITH (Burleigh—ALP) (6.19 pm): Despite what we are hearing from the members of the opposition, the Queensland health system has never been more open and accountable than it is under this state Labor government. Queensland Health provides an unprecedented level of information about our health system, including regular quarterly reports on hospital activity and performance and elective surgery waiting lists. Daily reports on emergency department capacity and monthly updates on our efforts to recruit more doctors, nurses and allied health professionals are provided. We also have a new independent health watchdog, the Health Quality and Complaints Commission, to monitor standards and investigate patient complaints. No other government in Queensland’s history has been as open, transparent and accountable as this government.

The Bligh government is also building a safer health system for patients. Queensland Health has already implemented a number of important initiatives to reduce the risk of patient harm and to improve health outcomes for all patients. For example, in April the government published Queensland’s first ever annual report on serious incidents—sentinel events—involving harm or potential harm to patients in public hospitals. Queensland Health reported 19 nationally defined sentinel events in 2005-06, which is comparable with public health systems around the world and significantly less than the 38 that were reported in New South Wales and the 42 that were reported in Victoria.

In addition to nationally defined sentinel events, Queensland Health recorded another 143 incidents in categories not used by other states as part of its commitment towards better understanding patient safety risks. The total 162 incidents in one year represent less than 0.5 per cent of the total number of patients who come into contact with Queensland Health every single day.

Although the media seems quick to highlight deficiencies in the health system one only has to read the letters to the editor in the local Gold Coast newspapers to see that the majority of residents hold the Gold Coast and Robina hospitals in high regard. Daily I hear from constituents who want to relate a positive experience they have had when dealing with the hospitals. They have nothing but praise for the staff working in these facilities and I take this opportunity to congratulate those employees who provide a level of care that is second to none.

Another important government initiative was the establishment in 2005 of the Patient Safety Centre. This centre is responsible for developing and implementing new patient safety standards for all hospitals to reduce the incidence of preventable patient harm. Across Queensland we have employed 41 patient safety officers to support patient safety initiatives at the service level, to manage adverse incidents and to provide patient safety training to our front-line clinical staff. More than 8,000 clinical staff at all levels have been trained in human error and patient safety as well as training in how to seek the root cause of harm. All serious adverse events are analysed using the root cause analysis.

The Safe Medication Practice Unit has been established by Queensland Health to support district and area health services to improve medication related practices and reduce patient harm. Other initiatives include the implementation of a single medication chart for the prescribing and the administration of medications in all Queensland Health facilities, the development of standardised charts for the prescribing and the administration of intravenous fluids and the development of guidelines for the management of high-risk medications. Queensland Health is also implementing the correct surgery protocol to support clinical staff and ensure that the right patient is having the right procedure on the right part of their body.

These initiatives reflect the government’s commitment to improving patient safety. They also show how we are reforming and improving our health system for the benefit of all Queenslanders. I reject the motion moved by the opposition and support the amendment moved by the minister.
Division: Question put—That the amendment be agreed to—


NOES, 27—Copeland, Cripps, Cunningham, Dempsey, Elmes, Flegg, Foley, Gibson, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Menkens, Messenger, Nicholls, Pratt, Seeney, Simpson, Springborg, Stevens, Stuckey. Tellers: Rickuss, Dickson

Resolved in the affirmative.

Division: Question put—That the motion, as amended, be agreed to.


NOES, 27—Copeland, Cripps, Cunningham, Dempsey, Elmes, Flegg, Foley, Gibson, Hobbs, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Menkens, Messenger, Nicholls, Pratt, Seeney, Simpson, Springborg, Stevens, Stuckey. Tellers: Rickuss, Dickson

Resolved in the affirmative.

Sitting suspended from 6.35 pm to 7.35 pm.

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT—GREEN VEHICLES CONCESSION) AMENDMENT BILL

Second Reading

Resumed from 19 April (see p. 1386).

Hon. RJ MICKEL (Logan—ALP) (Minister for Transport, Trade, Employment and Industrial Relations) (7.35 pm): On behalf of the government I rise to oppose a private member’s bill introduced by the member for Burdekin. The bill authorises a regulation to provide a refund of registration fees or to provide a concession on registration fees for green vehicles.

Looking specifically at motor vehicles, recently the Queensland government announced that on 1 January 2008 a new and more environmentally friendly rating system for motor vehicle stamp duty will be introduced. The new scheme will encourage the use of hybrid and smaller cylinder vehicles. This is a far more considered approach than a reduction in registration fees, which is championed in this bill.

Registration fees are collected to fund this state’s road infrastructure program and are used for the construction and maintenance of the state’s road network. The condition of our roads is directly linked to registration fees. As a consequence, the collection of those fees has a direct impact on road safety. To introduce a reduction in registration fees for hybrid cars would result in a reduction in this government’s ability to keep our roads in a safe condition.

The state government is already carrying the weight when it comes to the funding and building of roads and public infrastructure. In 2006-07 the Queensland government spent $3.98 billion on much-needed transport infrastructure, including $1.98 billion on Queensland roads. As a result, Queensland’s roads capital budget for 2006-07 was almost 25 per cent more than that of New South Wales at $1.59 billion and 80 per cent more than Victoria at $1.1 billion. In 2006-07 Queensland spent twice as much per capita on roads as did the Victorian and New South Wales governments. In this financial year that trend continues upward with Queensland spending $525 per capita on roads while New South Wales and Victoria spend $273 and $110 per capita on roads respectively.

Under the current fuel excise regime, in 2007-08 the federal government will collect $14.4 billion of fuel excise nationally but returns $2.8 billion, which is less than 20 per cent of this revenue, to transport infrastructure. Conversely, Queensland is expected to return 173 per cent of the amount collected in registration to the road network in the 2007-08 financial year. Even in circumstances where Queensland is jointly funding projects with the federal government, the Bligh government is often paying the larger sum of money. The Tugun bypass is just one example. Queensland is contributing $423 million and Canberra just $120 million.

The federal government has not supported vital improvements to public transport infrastructure—improvements that lead to much greater environmental benefits than a reduction in registration fees for electric and hybrid vehicles. How could the state government justify supporting this proposal when it would take much-needed funding away from improving the roads on which we drive? This government is committed to improving the safety of our roads and is doing so by implementing a range of initiatives that include more rest stops and increased audible line markings on our roads to make them safer.
To ensure that road funding is not jeopardised, it would be necessary to increase registration fees for all other road users in an effort to make up for that reduction in revenue caused by refunding or discounting registration fees for green vehicles. Surely a reduction in the cost of buying one of these hybrid cars would be a bigger incentive than reducing the registration fee. If the federal government were to exempt those vehicles from import tax, it would reduce the purchase price, creating an incentive to purchase a hybrid car. Incentives through a reduction in fuel excise would also be an incentive to purchase one of those cars. These fees are charged by the federal government. And remember, the state government is already coming to the fore. As I have already said, from 1 January 2008 purchasers of hybrid or electric vehicles will benefit from a reduction in stamp duty.

Further, in June this year the Queensland government released its climate change strategy ClimateSmart 2050. As part of this strategy the government has committed $414 million towards new initiatives to combat the impacts of climate change. Apart from the key transport related initiatives already mentioned, the Queensland government will seek to reduce and neutralise vehicle emissions by introducing a voluntary scheme to encourage Queenslanders to offset their vehicles’ greenhouse gas emissions through the annual registration renewal process.

The Queensland government will also lead by example by aiming to offset 50 per cent of the government’s fleet emissions by 2010 and 100 per cent by 2020. This builds on a previous commitment by the government to reduce the number of six- and eight-cylinder vehicles in its passenger fleet. For example, today 55 per cent of the passenger fleet comprises four-cylinder cars, while just two years ago 60 per cent of the fleet were six-cylinder cars. Further, we have set a new target of reducing the number of six-cylinder vehicles to 30 per cent of the fleet by 2010, as well as doubling the number of hybrid vehicles in the Queensland government’s passenger fleet.

Turning now to the proposal from the member for Burdekin, let me be clear why the government will not support the bill. Firstly, the bill does not recognise that developments in automotive technology, including next generation fuel technology, are providing significant improvements in fuel efficiency and reducing environmental impacts across a range of vehicle types, not just electric and hybrid vehicles.

For example, the ongoing refinement of turbo diesel engine technology has progressed to the point where some turbo diesel vehicles are now just as fuel efficient as similar sized hybrid vehicles. There are also small petrol cars, such as the Smart City Coupe Fortwo, that have similar greenhouse gas emission profiles to electric and hybrid vehicles. In other words, a simplistic approach of favouring one technology over others will have limited impact on reducing both greenhouse gas and air pollutant emissions from the transport sector.

Another area of significant advancement is developing and deploying alternative and next generation fuels. CSIRO has shown that through different non-petroleum fuel use, greenhouse emissions can be reduced by almost 70 per cent. In fact, one of the best performing fuels is ethanol produced from molasses. That is why the state government has vigorously pursued introducing an ethanol market in Queensland and Australia.

Secondly, I reiterate that in Queensland revenue collected from registration fees is fully allocated to Queensland’s road infrastructure program and is used for the construction and maintenance of the state’s road network. Since 1976 registration charges for cars have been based on the number of cylinders the vehicle has. The cylinder rating is used because the bigger and larger the engine the greater the road wear a vehicle causes. Vehicles with more cylinders are generally less fuel efficient than vehicles with a smaller number of cylinders and so, in broad terms, the existing fee system already favours vehicles with reduced environmental impact. Because they do not have cylinders, electric vehicles are already charged registration fees based on the lowest cylinder rating, which is $43.30 cheaper than a four-cylinder vehicle. Hybrid vehicles are charged registration fees according to the vehicle’s number of cylinders. So cheaper registration fees are already applied to electric vehicles through the existing scheme. If we were to provide free registration for 10,000 hybrid vehicles, funding to our very positive roads infrastructure program would be reduced by more than $2 million. That reduction in funding for our roads may need to be offset by an increase in registration fees for other road users. I chose the number 10,000 because in a media statement released on 19 April the coalition said that concessional registration would be phased out after 10,000 hybrid vehicles were registered. I notice, however, that there is no mention of this limit in the bill or in the member’s speech to the bill.

The third reason we will be opposing this bill is that it does not recognise that while some hybrids are particularly good at reducing greenhouse gas emissions, others are not as good as some conventional vehicles. According to the Australian Greenhouse Office’s Green Vehicle Guide, of the four petrol/electric hybrid vehicles currently available on the Australian market, only two are rated as performing well in terms of greenhouse gas emission. The other two, both six-cylinder Lexus vehicles, are rated 6.5 out of a possible 10. This means that in the greenhouse gas emission stakes, half of the currently available hybrids in Australia are outperformed by many conventional four-cylinder vehicles, including the Toyota Corolla, the Honda Jazz and the Holden Astra. By favouring petrol-electric hybrids without taking into consideration other factors such as engine size, the objective of the private member’s bill will not be achieved. It will simply favour one technology over others.
Finally, we will be opposing this bill as any measures in this area need to be considered and developed in a comprehensive manner as part of the ongoing work of ClimateSmart 2050. As I stressed earlier, developing measures to combat the impacts of climate change is a highly complex endeavour, particularly for transport policymakers. For example, the UK’s Stern review identified transport as one of the most costly sectors in which to reduce emissions. This is because low-carbon transport technologies are expensive. Costs to society are potentially high in terms of getting it right and worse if we get it wrong.

Mr ELMES (Noosa—Lib) (7.45 pm): This is a bill that really needs little explanation or debate. It is a matter of simple common sense. If this government is serious about reducing greenhouse gas emissions in Queensland, then it needs to get serious about providing some incentive for people to do so in the short term. It needs to act now. One simple way for the government to do this is by encouraging people to drive vehicles that emit little or no greenhouse gases. It was disappointing to note that the Premier, when she was Treasurer and handed down this year’s budget, did not offer an incentive to Queenslander to drive energy efficient vehicles at the time but chose instead to increase the registration payable on those vehicles. I note in the comments by the minister the number of these hybrid vehicles that are around the place. There are only a few hundred of them on the roads in Queensland and yet in 2007 there will be an additional 157,000 new passenger car registrations in Queensland. In terms of revenue raised from registration, it is not a problem in that particular area.

There is a great opportunity for the government to provide an incentive for each of us to reduce our own carbon footprint. It also provides an incentive for Queensland to reduce its reliance on oil, especially considering that as a country we are reaching our relative position of peak oil status. The smart way for this government to encourage the uptake of climate friendly attitudes and behaviours is through incentives rather than punishment. This bill presents an opportunity for the government to offer such an incentive for a relatively cheap amount, considering the current number of hybrid vehicles on the road. To be specific, with regard to the benefits of this bill, the Australian Bureau of Statistics has recorded that the bulk of Australia’s greenhouse gas emissions comes first from stationary energy generation followed by transport. Within that amount, passenger cars are the largest emitter at 41.7 metric tonnes, and that was in 2004. This represents a growth of 18 per cent in 14 years between 1990 and 2004.

Passenger car emissions far outstrip the amount emitted by domestic aviation, shipping and railways combined. Clearly, this is an area that needs to be addressed. Given the cost effectiveness of passenger cars and their importance to the average Queenslander as compared to planes, trains or ships, this is an area that the government can get a big bang for its buck. If the Queensland government is interested in tackling climate change with real initiatives and real policies that will pay dividends immediately, then it should start by attacking the greenhouse gases emitted by passenger cars. Clean coal technology and improvements in renewable energy is good for the long-term and we do need long-term solutions if we are to avoid the worst effects that climate change could bring. If we are to have an immediate effect on climate change, then approaches like this are both necessary and prudent.

All of us know, and the scientists keep reminding us, that the danger is being done to the planet now. That being the case, we need to start acting now. This bill represents a strategy to target one of the largest sources of greenhouse gas emissions very simply by encouraging people to be climate clever. I support efforts to make a real difference to climate change. This bill ought to form part of a suite of approaches that this government should undertake. I commend the bill to the House.

Mr CRIPPS (Hinchinbrook—NPA) (7.49 pm): It is with pleasure that I rise to make a contribution to the debate on the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill. In doing so, I congratulate the shadow minister for sustainability, climate change and innovation, the member for Burdekin, for introducing this bill, which is a progressive and innovative policy. Unfortunately, the government has indicated that it will not support the legislation, as usual, for some base political purposes.

The stated objective of the bill is to amend the Transport Operations (Road Use Management) Act 1995 to give registration concessions to Queenslanders who buy hybrid vehicles and vehicles that run on electricity. Petrol electric hybrid vehicles use up to 50 per cent less fuel than conventionally powered vehicles and cut exhaust pollution by up to 80 per cent. These cars are seen as environmentally friendly and a proactive way of reducing carbon emissions.

However, the uptake of hybrid vehicles by consumers has been limited. They are commonly seen as too expensive as far as their up-front costs are concerned when compared to similarly priced conventional vehicles, despite lower ongoing running costs. This has so far restricted sales of hybrid vehicles. In view of widespread public concern about carbon emissions, it is expected that governments intend to impose increasingly stringent emissions regulations. These restrictions may manifest themselves in a number of ways, including reduced access to inner-city roads, more toll roads and increased taxes on vehicles. These policies are aimed at reducing fuel consumption in general. Hybrid vehicles are ideally suited to lessen the effects of spiralling fuel costs on consumers and reduce emissions, particularly in urban and city areas.
Currently, there are no financial incentives offered by the state government to promote and increase the adoption of environmentally friendly, fuel efficient hybrid and electric vehicles. Providing registration concessions for hybrid and electric vehicles will reduce those up-front fixed costs that have held back consumer demand thus far and increase their attractiveness to private individuals as well as businesses with fleets.

Offering financial incentives to stimulate consumer demand is consistent with other current state government initiatives offering Queenslanders a greater choice of energy sources and more opportunities to reduce energy consumption to help the environment. There are a number of programs, amongst them a number of commendable programs. These include the ClimateSmart Homes rebate scheme, the Energy Choices program, the Home WaterWise Rebate Scheme and the Home Garden WaterWise Rebate Scheme—as we can see, rebates and incentives aplenty for state government policies and programs that the government proposes.

This policy is consistent with the initiatives implemented by the government itself and indeed widely celebrated and promoted by the government. It begs the question as to why the government would not support this initiative brought forward by the Queensland coalition in the form of this private member’s bill. The answer is of course that this state Labor government, like the Beattie Labor government before it, has a fair-weather friend, media-driven approach to environmental policy and acts on issues only when it suits its political goals.

On the issue of motor vehicles, the state Labor government has demonstrated that its policy is not to provide registration concessions for environmental vehicles but to force up the costs of purchasing new and second-hand conventional vehicles. Like the rest of my colleagues from the Queensland coalition, I was appalled at the decision by the state government to increase stamp duty on the sale of motor vehicles. While this state government has made a big fuss over its belated decision to phase out mortgage duty over the next three years, it is hitting almost every decent, ordinary Queenslander with this decision to increase stamp duty on both new and second-hand motor vehicles and, most significantly, on heavy transport vehicles and utilities. Almost no driver will be spared by this tax grab, which will be imposed on Queenslanders from 1 January 2008. Stamp duty on a four-cylinder car will increase by 50 per cent. Stamp duty on six-cylinder vehicles will increase by 75 per cent. On vehicles with eight or more cylinders, stamp duty will increase by 100 per cent. This is an outrageous and greedy grab for extra tax dollars out of the pockets of Queenslanders.

When this greedy stamp duty hike was announced by the former Premier and the current Premier, who was then the Treasurer, ahead of the state budget in May this year, it was dressed up as an environmentally friendly rating system to provide an incentive for individuals to play their part in helping to tackle global warming through purchasing smaller vehicles by minimising the stamp duty increase on hybrid cars and holding the stamp duty on the sale of those vehicles at two per cent. The former and current premiers said that they felt the government had come up with a new system of motor vehicle duty that would encourage smaller cylinder purchasing for new cars and make a meaningful contribution to combat global warming by providing incentives to take up low-emitting activities—a message that was repeated by the minister earlier tonight. That assertion could not have been further from the truth. This was not a positive policy to encourage consumers to move to hybrid cars; rather it was just a punitive, big-stick policy approach that slugged families by increasing the cost for purchasing conventional vehicles. There was nothing progressive about it at all.

In contrast, this private member’s bill by the Queensland coalition proposes a real incentive—a positive incentive—for consumers to move to hybrid and electric cars by making them more affordable. As I said earlier, the uptake of hybrid vehicles by consumers has been limited because they are commonly seen as being too expensive as far as the up-front costs are concerned when compared to similarly conventional vehicles, despite lower ongoing running costs.

So while we know that those higher, up-front, fixed costs have dampened consumer demand for hybrid cars, the state government’s solution was to make conventional vehicles more expensive rather than making hybrid vehicles less expensive. What a punitive and poorly conceived policy. Indeed, as the stamp duty applies to both new and second-hand cars, it will have a particularly harsh impact on battling Queensland families with children who need to buy a large vehicle—like an ordinary six-cylinder Commodore or an ordinary six-cylinder Falcon—to fit the whole family in. They will be slugged with the state Labor government’s extra 75 per cent increase in stamp duty. Those battling families who can only afford to be in the market for a second-hand six-cylinder vehicle will be similarly slugged with a 75 per cent stamp duty increase. As I said earlier, currently there are no financial incentives offered by this state Labor government to promote and increase the adoption of environmentally friendly, fuel efficient hybrid and electric vehicles—only punitive financial penalties.

In the same announcement, the former and current premiers went on to try to justify the greedy grab by suggesting that the extra stamp duty revenue collected on the sale of new and second-hand motor vehicles was needed to put more funds into social services, and they singled out mental health services for particular attention. That was particularly offensive, as mental health issues in Queensland communities are very important issues. I think it was inappropriate for the government to link funding for mental health services with stamp duty collected from the sale of motor vehicles—especially when the
minister came in tonight and linked the collection of stamp duty directly with roads. I agree with the minister on that point—that is where it should be going—but the press release from the former Premier and the current Premier in early May made specific mention of social services, particularly mental health services. I thought that was particularly offensive.

There is no direct link between mental health funding and the stamp duty collected on motor vehicles—except that concocted by this government. In contrast, this bill from the Queensland coalition is an honest and progressive attempt to do something positive and proactive about encouraging consumers to buy environmentally friendly hybrid vehicles. I support the bill and I encourage all members to do so, especially government members who are being afforded the opportunity by the opposition to be fair dinkum and support a practical environmental initiative.

Mrs STUCKEY (Currumbin—Lib) (7.58 pm): I rise to speak in support of the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill 2007 introduced by the shadow minister for sustainability, climate change and innovation. I would like to commend the honourable member for Burdekin for her efforts in what is a sensible and climate sensitive piece of legislation.

The objective of this bill is to amend the Transport Operations (Road Use Management) Act 1995 to allow for concessional registration fees for hybrid and electric vehicles. The shadow minister stated in her second reading speech that the intent of this amendment is to provide an incentive in order to increase the adoption of hybrid and electric vehicles by the general public in urban areas. I have to say that I really commend this move. I take my hat off to the member for bringing it into the House. It really is a shame that there are not more—or any—members of the government speaking on this bill.

Clause 3 of the transport operations amendment bill 2007 inserts a new subsection 3A into section 171 of the act enabling the chief executive to refund registration fees completely or partly or provide concessions for green vehicles. Clause 4 amends the schedule 4 dictionary to include definitions of electric vehicle, green vehicle and petroleum-electric hybrid vehicle. Hybrid vehicles have numerous benefits both for the environment and for the consumer. They are more fuel efficient, which can save Queensland families money on the ever-increasing price of petrol. They use up to 50 per cent less fuel than conventionally powered vehicles and cut exhaust pollution by up to 80 per cent. They are kinder to the environment, emitting less air pollution and greenhouse gases. A report in Futurist has claimed that hybrid powered vehicles have saved an estimated one million barrels of crude oil, three million pounds of smog-forming gases and one million metric tonnes of carbon dioxide.

Despite these advantages, as of 31 August 2007, of the 2,864,910 cars registered on Queensland roads only 433 were hybrid vehicles. At present, hybrid cars are estimated to constitute a very small percentage of new car sales in Queensland in 2008—approximately only two per cent. This low uptake rate can be attributable to the commonly held view that hybrid vehicles are too expensive. Despite better fuel economy and lower running costs, hybrid vehicles are unfortunately still seen as a costly alternative to similarly optioned conventional vehicles.

The Public Policy Network Conference held in February this year found that, although hybrid vehicles do offer a serious alternative to conventional vehicles, there is very little economic motivation to purchase a hybrid passenger car. In light of numerous problems either facing Queensland right now or looming in the not-too-distant future, purchasing hybrid vehicles should be encouraged. They are not just beneficial to the environment because of their lower emissions; they will also aid consumers in offsetting the increasing costs of transportation. Rising vehicle taxes and tolls and spiralling fuel costs can all be compensated for by the fact that hybrid cars use up to 50 per cent less fuel than conventional vehicles. However, this Labor government has failed to take the lead in promoting the use of environmentally friendly vehicles. It has made claim after claim that it is an environmentally friendly government, yet this so-called environmentally friendly government has not taken the initiative here in providing any form of incentive to encourage Queenslanders to purchase hybrid vehicles. This government has continued to ignore coalition calls to make hybrid cars more readily available and to make hybrid cars more affordable for those who go out on a limb and buy these vehicles at their own expense.

In addition, the Environmental Protection Agency has not purchased an environmentally friendly vehicle in the past two years, from the records that I have. Although 21 hybrid cars were purchased between June 2003 and June 2005, the department has not purchased any since. The minister has said that the EPA has no plans to specify and maintain a percentage of hybrid vehicles in their fleet. Given that transport is a large contributor to Australia’s greenhouse gas emissions, surely our EPA should be paving the way for the use of hybrid vehicles. This is yet another glaring example of the government’s failure to deliver on its promise of being actively interested in the sustainable wellbeing of our environment.

As the member for Currumbin, an electorate blessed with valleys, rainforests and world-class beaches, environmental sustainability is something I personally hold dear. Our substantial green behind the gold provides us with an environment to be enjoyed by locals and visitors alike. To continue to do this, it is essential to ensure that all possible measures are taken to preserve areas such as these and to protect them from environmental degradation.
The Currumbin residents were disgusted with this Labor government's attitude when it allowed a contentious and inappropriate development of over 500 houses to proceed in the tranquil Currumbin valley, the home of Blackbutt Forest and a host of native fauna. It was Terry Mackenroth's parting gift in his charade of a South East Queensland Regional Plan—a plan that highlighted areas that were outside the urban footprint and not to be developed, unless of course the developer was your mate.

I have been heavily supportive of the Ecovillage at Currumbin Valley which, to its credit, has been widely recognised as a groundbreaking form of living. The Ecovillage is totally water self-sufficient and has implemented strict building covenants to ensure all buildings on the site—

Mr REEVES: Mr Deputy Speaker, I rise to a point of order. I am really trying to work out what an ecovillage has got to do with the transport—

Mr DEPUTY SPEAKER (Mr Wendt): Order! There is no point of order. Resume your seat, please.

Mrs STUCKEY: Thank you, Mr Deputy Speaker. The Ecovillage is totally water self-sufficient—

Mr Reeves: What's this got to do with the bill?

Mrs STUCKEY:—and has implemented strict building covenants to ensure all buildings on the site comply with certain environmentally friendly building practices.

Mr Reeves: This is your own bill and you can’t even talk on it.

Mr DEPUTY SPEAKER: Order! Member for Mansfield!

Mrs STUCKEY: These are to name but a few of the measures in place to ensure the environmental sustainability of the community. I think this bill has a lot to do with environmental sustainability, and that is exactly why I am supporting it here tonight.

The sales team at Ecovillage—just for that rude member who interjected—is to be commended for taking it upon themselves to use a hybrid car—and I hope the member is listening—for travelling around the village and giving potential buyers and interested stakeholders tours of the site. The car runs entirely on solar power and is one of a handful of hybrid cars that were manufactured especially for use during the 2000 Sydney Olympics. Surely we can all take a leaf out of Ecovillage’s book and—

Mr Mickel interjected.

Mr Hinchliffe interjected.

Mr DEPUTY SPEAKER: Order! Members on my right!

Mrs STUCKEY: May I continue? Thank you very much, Mr Deputy Speaker. Surely we can all take a leaf out of Ecovillage’s book and help steer our state towards environmentally sustainable longevity. Unlike some members here, I praise the efforts of Ecovillage and I would like that put on record once again. I would also like to take the opportunity to commend Ecovillage on its trial of a urine-separation toilet within some of the properties located there.

Mr Reeves: I rise to a point of order, Mr Deputy Speaker. I refer to standing order 142 on page 29, ‘Debate to be relevant ... the debate shall be strictly relevant and confined to the subject of that clause, schedule or the bill itself.’ This is not relevant and I refer you to standing order 142.

Mr DEPUTY SPEAKER: Order! I have sought advice and it is not a point of order at this stage. I am giving the member an opportunity to create an argument in relation to the bill and I am happy to let her continue.

Mrs STUCKEY: Thank you once again, Mr Deputy Speaker. I was in my last sentence before I was once again rudely interrupted by somebody’s emissions from the other side. For these reasons, I reiterate the sentiments of the shadow minister for sustainability, climate change and innovation in fully supporting the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill 2007.

Mr McARDLE (Caloundra—Lib) (8.07 pm): I commence by congratulating the member for Burdekin, Rosemary Menkens, on bringing this bill before the House. In any sense of the word, the bill is practical and the clear intent is to provide concessional registration for hybrid and electric vehicles as an incentive to purchase such motor vehicles in the future. The explanatory notes outline the reduction in both fuel and exhaust pollution for the use of these vehicles. As we know, this technology, being relatively new, can only get better and further reduce both the fuel and exhaust pollution ratios as they stand at this current point in time.

As we accept that we live in a global warming period, it is intriguing to note that this type of vehicle for many reasons has failed to gain public acceptance in anywhere near what you would call great numbers, as the vehicles are seen as both expensive and difficult to maintain. Modern vehicles are much cheaper but the cost of petrol today—which is at record highs and will continue to be so in years to come—also poses the question, if one offset the cost of petrol over time, whether or not the purchase of a vehicle such as this would on a long-term basis be more economical. At a time when we are acutely aware of pollution and the impact that it will have on future generations, the use of these vehicles does need to be encouraged. Nobody here in this House doubts that as a statement of fact.
The member for Burdekin would be the first to admit that this initiative alone will not achieve the radical rethink and action on the ground needed to overcome the enormous problems this planet faces but it is a step in the right direction. It is a step to show the world that we in Queensland are doing something to assist the environment.

In January 2007 there were only 217 hybrid vehicles in Queensland. New passenger registrations for that year totalled over 150,000. Compare the emissions from the gas guzzlers with the emissions from hybrid vehicles and one would see that with time and effort hybrid vehicles could deliver enormous potential benefits to the economy, the environment and, more importantly, future generations.

There is clearly a need to encourage car manufacturers in this state and Australia to introduce alternative fuel vehicles to the driving public. At a time of significant oil price increases and growing consumer demand car manufacturers are indeed dragging the chain on this very important initiative in Australia. Drivers have few options other than petrol, gas and diesel fuelled motor vehicles.

As I understand it, there are only three models of hybrid vehicles available in Australia at this point in time, they being the Toyota Prius, the Honda Civic Hybrid and the Lexus 400h. Those vehicles, though they are in great demand, are not in great numbers on our streets and will not make a major difference with regard to efficient fuel consumption and minimising pollution put into the atmosphere.

The proposal in this bill is straightforward. There is a potential for registration fees to be refunded in part or whole where the fee relates to a green vehicle which is defined to mean an electric vehicle or a petroleum electric hybrid vehicle. This is one more step down the track of ensuring our environment is safe. Given the number of registrations of such vehicles in Queensland there is little likelihood of a major impost on revenue for the state of Queensland.

It is time that we took notice of important initiatives such as this and provide both an incentive and an example of what we can do. The bill puts into effect what we have spoken about in this House on many occasions—that is, delivering for future generations and providing a better environment for all Queenslanders. It is an incentive. It may not be a significant incentive but it is a positive incentive. The member needs to be congratulated for taking the initiative to bring the bill before the House.

Mr RICKUSS (Lockyer—NPA) (8.12 pm): I rise to speak in the debate on the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill 2007. I think it is actually a Pyrrhic victory for the shadow minister that only the member for Logan is speaking against the bill. None of the other Labor members are speaking against the bill. It is a victory for the member for Burdekin who has brought in such a good bill. It is astounding that no-one on the other side is game to speak against the bill.

Mr Reeves interjected.

Mr RICKUSS: Except the ratbags up the back there.

Mr Stevens: Mr Deputy Speaker, could the member resume his seat if he would like to interject.

Mr DEPUTY SPEAKER (Mr Hoolihan): Perhaps we could have your contribution through the chair, member for Lockyer. The member for Mansfield, we need some quiet.

Mr RICKUSS: Certainly, Mr Deputy Speaker, I would be more than happy to address you when I speak about this bill. The halfwits up the back keep interjecting.

Mr REEVES: Point of order, Mr Deputy Speaker. I take personal offence at the comment and I ask it to be withdrawn.

Mr RICKUSS: The member is in his seat. I was talking about the members up the back.

Mr HINCHLIFFE: Mr Deputy Speaker, if the reference was directed at me then I take offence at the reference.

Mr RICKUSS: It definitely was not directed at the member. It was to the phantom member sitting there.

Mr DEPUTY SPEAKER: Member for Lockyer, you have been asked to withdraw.

Mr RICKUSS: I withdraw.

Mr Cripps interjected.

Mr DEPUTY SPEAKER: I remind the member for Hinchinbrook that his seat is not where he is presently seated.

Mr RICKUSS: I must admit that it is actually a victory for the shadow minister. When talking about green vehicles I must congratulate the Howard government for the gas subsidies that it has brought in. There has been a great uptake there. That has improved the quality of the environment. Gas vehicles are efficient vehicles as are the green vehicles.

This is a good bill. I know it was the minister for transport who addressed this bill but I would ask the minister for climate change and sustainability to address the House on this issue.
Mr DEPUTY SPEAKER: I remind the member for Lockyer that this is a transport bill and the minister for transport is in the House.

Mr RICKUSS: I acknowledge that.

Mr Mickel: Ask your own member; it's not my bill.

Mr RICKUSS: I acknowledge that. In 2005 only one of the EPA's executive vehicles was an environmentally friendly vehicle. I would be interested to find out exactly how many of the EPA's executive vehicles are environmental vehicles. There are quite a few Calais on level 2 idling away and polluting the atmosphere when I hop into my car at different times. I have actually converted my electorate office car to gas because of the benefits that Mr Howard provided.

Mr McArdle: Wonderful man.

Mr RICKUSS: Terrific man.

Mr DEPUTY SPEAKER: Perhaps the member for Lockyer could come back to the debate.

Mr RICKUSS: I realise it is not his bill or his department's, but it would be interesting to know from the minister what percentage of Q-Fleet vehicles are green vehicles.

Mr Mickel: I'm sure the member will tell you.

Mr RICKUSS: I hope she does. I support this bill. I highlight the fact that it is a Pyrrhic victory for the member for Burdekin.

Mr Mickel: Tell me about John Howard again. I want to hear about him.

Mr RICKUSS: It is excellent the way John Howard has promoted gas conversion. I fully support the member for Burdekin.

Mr STEVENS (Robina—Lib) (8.16 pm): I rise to speak in the debate on the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill 2007

Mr Mickel interjected.

Mr STEVENS: Could I ask the minister to resume his seat if he is going to interject.

Mr DEPUTY SPEAKER: Perhaps, member for Robina, you could continue with your speech.

Mr STEVENS: I would like to say from the outset that I concur with my coalition colleagues and especially the shadow minister for sustainability, climate change and innovation, the member for Burdekin, and I congratulate her for leading the way with this new initiative. Even if we do not get this bill through tonight we will certainly embarrass the government in terms of its green credentials and show it up to be the great green pretenders that it is.

The objective of this private member's bill is to amend the Transport Operations (Road Use Management) Act 1995 to allow the chief executive to provide concessional registration specifically for hybrid and electric vehicles. This concessional registration would be of great benefit to all who are prepared to purchase an environmentally friendly motor vehicle and do their bit to help combat climate change. We all know that if everyone does only one thing for the environment, as the government repeatedly tells us, we will end up having a global movement that will be the catalyst in reaching our objective of addressing climate change. We hear that repetitively from the other side of the House.

The Australian Greenhouse Office says that the average household emits about 14 tonnes of carbon dioxide, of which car emissions are about four tonnes. A hybrid vehicle is a vehicle that uses two or more distinct power or fuel sources such as an on-board rechargeable energy storage system and a fuel powered source for vehicle propulsion, a human powered bicycle with battery assist or a sailboat with electric power. Those boats can go up the Nerang River waterways without creating waves, wash and noise. It is a very appropriate people mover for the people of Gold Coast. The term most commonly refers to hybrid electric vehicles with internal combustion engines—it uses petroleum and is called a hybrid electric petroleum vehicle—and electric motors generally powered by electric batteries.

Vehicles that also use distinct energy input types of fuels using the same tank and engine are considered to be hybrids, although they are more correctly referred to as dual-mode vehicles. A few examples of these are some electric trolley buses which can switch between an onboard diesel engine and overhead electrical power, flexible fuel vehicles that can use a mixture of input fuels, power-assist mechanisms for bicycles and plug-in hybrid electric vehicles which can use traditional liquid combustibles and electricity as fuels. The bill has come about, as the shadow minister for sustainability, climate change and innovation and the member for Burdekin said in her second reading speech, because although the state government does have a policy of reducing vehicle emissions and does lease hybrid vehicles from Q-Fleet, at the present time there are no financial incentives offered by the state government to promote and increase the adoption of environmentally friendly, fuel efficient hybrid and electric vehicles. At the present time concessional registration is currently available in Queensland for Seniors Card holders, trailers, primary producers and ambulances. Why not the private sector and everyday consumers?
The coalition is committed to investigating and developing policy initiatives that will help reduce greenhouse gases in Queensland. This bill allows for private sector encouragement to purchase environmentally friendly vehicular transportation. The topic of climate change and the response from governments across the globe to counteract this is extremely important and critical to maintain sustainable communities in all countries for the future. Each individual country and state is responsible to actively participate in developing new initiatives to offset this global crisis. This bill is an active response to our responsibility as a state to do all that we can to contribute to finding solutions, even in some small ways, to the change in our global climate.

There are three hybrid cars available in Australia, and they have been referred to by other speakers. At the present time the Toyota Prius is the market leader in hybrid cars in Australia and one which I am pleased to say the Mayor of the Gold Coast, Mayor Ron Clarke, drives as his council vehicle. He is very happy with it. It is very suitable and has been very successful. I actually happened to drive it on a few occasions. You do not have to get out and push it or anything like that, as was threatened when they first arrived on the market. It has been quite reliable with very few problems. It is a good vehicle and the council has engaged a policy of putting them on the council fleet just like Q-Fleet. The Prius is the market leader. There is also the Honda Civic Hybrid and of course the Lexus GS450h, introduced in Australia in May 2006. The Lexus RX400h, the world’s first luxury performance hybrid sports utility vehicle, is under consideration for introduction into Australia. That is the top end of the market in these environmentally sustainable cars. Even Porsche Australia has confirmed a move towards the production of hybrids, and of course all of those Porsche buyers would want to have a reduction in their registration costs!

While there is an illusion that hybrid cars are not as powerful as conventional cars, new technology has given them the position to be able to perform on par with existing vehicles. In a report from the NRMA when it introduced the Toyota Prius and Honda Civic Hybrid in the low-speed crash test program, it stated that the overall results highlighted that the newer hybrid technology does not necessarily lead to higher repair costs than for comparable conventional vehicles. The other advantage for consumers purchasing hybrid cars is that this will reduce the ever-increasing cost of petrol and running costs for the car owner. The NRMA report confirms that repair costs are comparable with existing cars and also that new technology has allowed for hybrid cars to be comparable to conventional cars with regard to power. The passing of this bill with registration concessions can only move Queensland in the right direction to motivate and make it easier for consumers to purchase a hybrid car.

There will come the day when all cars will be hybrids. In the meantime, we need to do all we can to help this happen for our environment. In conclusion, I would ask the state government to acknowledge that in this bill the coalition has come up with a new initiative and policy platform that is vital for our community. The fact that we thought of it first should not be any impediment to members on the other side of the House opening their eyes and doing their small bit to bring about global climate change. Tonight is the night that they have the opportunity to vote with the coalition to make this bill a reality. It is the responsibility of us as parliamentarians to legislate in any way we can to help address the issue of climate change and to lessen greenhouse gas emissions.

I urge the state government to put politics aside and do the right thing for addressing climate change and preserving our environment by voting with the coalition on this most important and much-needed bill. There is very little to lose in the loss of small amounts of revenue to the state government and a heck of a lot to gain by showing that the government is very much on the front foot in relation to the environment, in relation to climate change, in relation to being genuinely green and not paying lip-service to these matters as it has in other areas. It does not really matter if the coalition has thought of a good idea. It is up to a good government to recognise that it is a good bill and a good move forward that will encourage more use of these vehicles across Queensland. Queensland can be the leader again in another new direction. I do not think that any other state as far as I am aware gives registration concessions. We could be the first. We could lead the way and be the green state as well as the Sunshine State as well as the Smart State. Let us get smart and go green.

**Miss SIMPSON** (Maroochydore—NPA) (Deputy Leader of the Opposition) (8.25 pm): It is with pleasure that I rise to speak to this legislation. This is a positive bill. This is policy that is about pointing to us a better future. This bill is in recognition that petrol fuel-guzzling cars really have a limited life span. This bill is in recognition that the new technologies which are on the market and others that are still to come to the market are ones that are going to totally change the way that people are transported. We know that there is a need for better public transport, but there will continue to be a need for vehicles—vehicles which are able to take people throughout city areas and throughout rural and regional areas—into the future; individual vehicles which are appropriately fuelled with alternative fuels.

I commend the shadow minister for the initiative in bringing this legislation before the House. It appears from the negative comments, the constant interjections and the rude comments from Labor members on the opposite side that they have no intention of supporting this legislation. I think it is a great shame that when the state National-Liberal coalition brings positive policies forward to the parliament, almost without exception the Labor Party says that it will vote against it. With regard to this negativity to good ideas, it obviously feels that it should never, ever accept the fact that good ideas can
come from outside its own domain. It would be a positive step if it decided to follow this legislation—the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill—because this is really about promoting those technologies that some of my colleagues have outlined earlier.

Green vehicles are not only hybrid vehicles; they are also electric vehicles or, to quote from the legislation—

green vehicle means an electric vehicle or a petroleum electric hybrid vehicle.

petroleum electric hybrid vehicle means a vehicle that uses an on-board rechargeable energy storage system and a petroleum power source for propulsion.

This is about vehicles which use up to 50 per cent less fuel than conventionally powered vehicles and which significantly cut exhaust pollution—so significantly that it is 80 per cent compared to conventional technologies. This legislation is not something that will put a hole in the state government’s budget. In real terms it is a fairly small amount. But it is also an opportunity for government to lead the way by providing concessions on registration and saying that it is willing to support these alternative technologies. It is about giving more than lip-service; it is about government actually showing that it does support these alternative technologies by way of taxation concessions—in this case, with registration concessions. The coalition does have a positive policy with regard to concessions for green vehicles.

But the coalition also has an existing policy to encourage the use of economically sustainable and environmentally friendly fuels. As the members of this House should know, the coalition has long advocated for the ethanol industry. The coalition has long advocated for alternative fuel sources—clean and environmentally friendly fuel sources—such as ethanol. Yet it seems from what I have seen in this House that the members opposite think that ethanol is something that you drink rather than something that you put in your car, but we certainly want to—

Opposition members interjected.

Dr FLEGG (Moggill—Lib) (8.30 pm): This is a very appropriate day to be debating this bill. It is National Ride to Work Day. It is the day on which we attempt to make people aware of the impact that their personal transport activity has on emissions, pollution and climate change. On this National Ride to Work Day I congratulate the member for Burdekin on putting forward strong, innovative, positive ideas that can be enacted at the individual level.

The pros and cons of hybrid vehicles have been touched on tonight. Clearly, they can lead to up to an 80 per cent reduction in emissions. I know that there has been some discussion that some of the benefit of these cars might be dissipated in the manufacturing process and the like, but there is no question that these cars reduce the impact that transport has on emissions. These cars also reduce our dependency on the earth’s resources and the rate at which we deplete them. I do not think any member in this chamber is going to get up and say that there is not an environmental benefit from using these sorts of vehicles.

Certainly, the silence that we get from the members opposite cannot be based on the budgetary expense of having such cars. I know they are struggling budget wise, but in January there were only 217 hybrid cars in Queensland. If the problem is their cost, then the government is in deeper trouble than I think it is. Of those 217 hybrid vehicles in Queensland, arising out of Campbell Newman’s initiatives the Brisbane City Council has about 60 of them on the road.

There are some problems here. One of the reasons these vehicles are in such small numbers in Queensland and we have not encouraged people to buy them to the extent that we can is that they are expensive. It is new technology. Everyone knows that if they buy a new sort of computer, or a new sort of plasma TV, as the production runs are small those things are very expensive. But if we can encourage the use of these sorts of vehicles, two things will happen. One is that the cost of them will come down and it will become easier to get them on the road. The other thing is that, if demand for these sorts of vehicles increases, there will be additional investment in research and development that will make them even more efficient and will improve the benefits that can flow to the environment.
Earlier this week I said—and I repeat it here and I will continue to repeat it—that one of the principal roles that we should play as a parliament and that the members opposite should play as a government is to urge people to take local action and local responsibility for their own personal impact on the environment. It is all very well to talk about China’s new power stations, or emissions targets and everything else. They are all legitimate issues. But they are not things that individuals in Queensland can influence. Our role should be to urge and to facilitate people to take responsibility locally for their own emissions and their own carbon footprint. We have done it brilliantly with water. We have people taking very serious responsibility at a personal level for their use of water. I want to see that responsibility extended to people’s personal use of energy resources. People should be encouraged to understand the emissions that they put out and how to reduce them.

What better way to do that than to vote in favour of this bill, which will significantly slash the cost to Queenslanders if they do the right thing and take personal responsibility for their impact on the environment. The government and the parliament in Queensland would be giving something back to people by way of encouragement and making it more affordable for Queenslanders who want to do that. That is what it should be about. There is a word for that and the word is vision. The members opposite can vote against this measure. They have the numbers.

**An opposition member:** They will.

**Dr FLEGG:** I take that interjection. You can see it on their faces. They are intending to vote against it. They are not game to get on their feet and tell us why.

**Mrs Menkens:** No, they can’t find any reason against it, can they?

**Dr FLEGG:** No, they are not going to tell us why but—

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! Perhaps we could have your speech delivered through the chair instead of having a discussion with the other members sitting beside you.

**Dr FLEGG:** I am sorry. I will do that, Mr Deputy Speaker. This bill is about vision. This bill is about having the guts to get out and say, “We’ve done some good work in Queensland. The Brisbane City Council has done some great work. We want to take it a step further and say to people, “Take responsibility for your own impact on our environment.””

There is no justifiable reason that those opposite can give for why we should not be voting for this measure. The members opposite have not disputed any of it. In actual fact, the members have not disputed anything because they are not game to get up on their feet and give us a reason they should vote against this bill.

Come the next election I can see the members opposite running around trying to say that they want the green vote and everything else. This is the test. Are they serious? Do they really want to do something for their constituents to help them reduce their impact on the climate? Tonight the members opposite have failed the test. They do not care about the environment. They do not want to help people reduce their emissions.

**Ms Jones** interjected.

**Dr FLEGG:** I hear the member for Ashgrove. What she is saying is not making a lot of sense. The member for Ashgrove could have got on her feet tonight and said what she thinks about personal emission controls, what her constituents—

**Ms Jones:** I drive a Prius.

**Dr FLEGG:** The member for Ashgrove should not say that as an interjection. She has an opportunity to get on her feet if she has the guts to do that, but she does not have the guts to do that. The members opposite have no reason, they have no justification, for voting against this bill. They are yelling out from the bleachers, but they do not have the courage of their convictions to get on their feet and give a reason.

We on this side of the House will continue. We are very serious about urging people to act locally, to act individually and to take individual responsibility. At the end of the day it is house by house, person by person that we will change the behaviour of people in terms of their impact on our climate, not by some esoteric debate.

**Ms Jones** interjected.

**Dr FLEGG:** I take the interjection from the member for Ashgrove because we did it with water. We made people individually responsible for water, but the government does not have enough vision to see that that sort of action has to be extended into the area of emissions and impact on climate.

It is a sad reflection on this government that it has so little vision and that its members do not have the guts to get to their feet and explain why they will vote this bill down. In the absence of courage from members opposite who will not explain their refusal to support the bill, I am left to conclude that they are in such a perilous budget position that they think this will send them broke. They think this is going to send them broke because there are 217 hybrids. I wish it were 2,700 or more, because of the benefits
that they bring to the environment. Tonight Queenslanders who are serious about reducing their impact on the environment should realise that they will get no support or encouragement from the gutless people opposite who did not get even to their feet to speak to the bill.

Mr LANGBROEK (Surfers Paradise—Lib) (8.40 pm): It is my pleasure to rise to speak—in a slightly more calm way—to the Transport Operations (Road Use Management—Green Vehicles Concession) Amendment Bill 2007. In doing so I congratulate my colleague the member for Burdekin, the shadow minister for sustainability, climate change and innovation, for bringing the bill before the House. I note that many speakers before me have made this point, but I reiterate that it seeks to provide financial incentives for motorists to invest in green vehicles by granting concessional registration for hybrid and electric vehicles. This initiative underpins the Queensland coalition’s commitment to a cleaner and greener environment.

Climate change is one of the most talked about topics of the last year or two. Clearly it represents one of the biggest challenges of the 21st century. Australia and the rest of the world are experiencing rapid climate change, which we feel every summer with new ‘record temperatures’. This year we have already seen high temperatures. Since the surf-lifesaving season kicked off last month, volunteer lifesavers have seen massive crowds on Gold Coast beaches on the weekends. I take this opportunity to thank our lifesavers for the great job they do in keeping our seas safe.

There is no denying Australia’s contribution to greenhouse gas emissions. We are experiencing more heatwaves than ever before. Our dams are drying up and we have witnessed drastic changes in rainfall patterns. From this global crisis it is clear that we cannot continue down the path of climate destruction. If we are to delay the devastating effects of climate change, we need to act now.

I note that in the latest Commonwealth budget Australia committed more than $3.5 billion towards the federal coalition’s climate change program, which includes $741 million to support the adoption of climate change initiatives such as offering rebates for the installation of solar panels in households. I note the move last summer to turn down the air conditioners in parliament to conserve energy and water. This illustrates the small changes that we can make to our behaviour and attitudes which will collectively make a difference.

Emissions from cars make up a significant portion of Australia’s greenhouse gas emissions. We need to start looking at ways to reduce our overall carbon emissions. I submit that reducing the number of cars on our roads and promoting green vehicles is one way to achieve this.

At present Queensland does not offer any real incentives to promote and increase the adoption of hybrid cars. I was surprised to realise that in Queensland only 217 vehicles out of 2,780,000 registered cars are green vehicles. Technology in cars has developed to the point where green vehicles save up to 50 per cent on fuel consumption. As the member for Burdekin said, one hybrid car driven 20,000 kilometres per year can reduce greenhouse gas emissions by 2.5 tonnes. Imagine the difference we could make if more motorists invested in greener vehicles.

I have no doubt that people would embrace hybrid car technology if they were offered an incentive to do so. In Queensland businesses have already indicated their readiness to exchange their business fleets for greener transport options if given the right enticement. The Bligh government has stopped short of encouraging other motorists to go green. This bill offers some two million motorists the opportunity to switch to hybrid vehicles.

Providing free registration for hybrid petrol and electric cars is one way that the state government can encourage the use of more environmentally friendly cars with a minimal effect on the budget. The shadow minister for sustainability, climate change and innovation has presented us with a carefully considered and costed option that will improve the uptake of green vehicles in Queensland. Once again I congratulate her on her initiative. I hope that the members opposite support this move by the coalition to boost Queensland’s green credentials. I commend the bill to the House.

Mrs MENKENS (Burdekin—NPA) (8.44 pm), in reply: I thank all the members who have contributed to this evening’s debate on the green vehicles concession amendment bill. However, I am very disappointed that the government has shown such a short-sighted view by not supporting the legislation. As we have heard, the purpose of the bill is to provide registration concessions for hybrid petrol/electric vehicles or green vehicles. I draw the government’s attention to the bill and the description of a ‘green vehicle’, which is an electric vehicle or a petrol/electric hybrid vehicle.

In the few negative comments that the minister could manage to make against the bill, he rather critically said that we were favouring one type of technology over another. However, the technology available produces electric vehicles and hybrid vehicles. That is why we have used the term ‘green vehicle’. As other technology becomes available, new vehicles will fall under the definition of a green vehicle.

Green vehicles encompass both cars and motorcycles. I mention motorcycles in particular because a company has contacted me in relation to this bill. The company is intending to import electric motorcycles into Queensland in the very near future. They were very interested in the legislation before the House, because they were hoping that it would provide a further incentive for the sale of electric motorcycles. Of course, as we have seen, that will not occur.
The transport industry is the second greatest producer of greenhouse emissions in Queensland. To that extent it is imperative that a serious attempt is made by the state government towards reducing those emissions. Currently, some hybrid vehicles are considered to be out of the price range of many average motorists. One of the main objectives of this bill is to provide an incentive to motorists to encourage a greater uptake of those much more environmentally friendly vehicles.

Hybrid petrol/electric vehicles use up to 50 per cent less fuel than conventionally powered vehicles and cut exhaust pollution by up to 80 per cent. I accept the comments that, in time, this type of technology may be superseded, and that is fine. We look forward to the new technology that will come forward. However, we need incentives to encourage consumers to look towards environmentally friendly vehicles.

A large percentage of the community accepts that human-caused emissions of greenhouse gases may result in changes to climate systems. The observed global temperature trend in the past 25 years has been an increase of 0.15 degrees Celsius between 1976 and 1998. Although many natural factors influence the earth’s climate, a majority of the world’s scientists are confident that greenhouse gas increases were the main factor contributing to global warming over the past 50 years. Climate models driven by scenarios of greenhouse emissions indicate that over the next century a global warming of even one to two degree Celsius could occur. History has shown that a warming of even one to two degrees Celsius can have dramatic consequences.

The public reality is that there exists a widespread belief within the community that dangerous global warming is occurring and that this has been caused by humans. This means that there must be a much broader range of government power to challenge local problems. But as individuals this does not mean that we cannot do our share to attempt to combat and create ways to adapt to global problems such as climate change.

Members of the community are looking to ways in which they can assist in the reduction of carbon emissions. In fact, the majority of Queenslanders are now really proactive in many ways towards reducing emissions. To that extent, one of the main objectives of this bill is to provide another incentive to consumers. Although it may seem a terribly small initiative, and I accept that it is a very small initiative, providing concessional registration or free registration for hybrid and electric vehicles is one very small way that the state government can proactively encourage the use of environmentally friendly cars.

It makes common sense that encouraging the uptake of these vehicles will also bring the commercial reality of competition and hopefully help decrease the cost. The coalition’s proposal involves a review towards phasing out the concessional registration offer once 10,000 green vehicles are registered in Queensland. As we have heard, the Queensland Transport figures as at 31 January this year showed only 217 out of a total of 2.78 million registered cars in Queensland were hybrid cars. At a registration fee of $264.35 to register a hybrid car, the government would only be foregoing about $57,000 in revenue this year. For heaven’s sake, that is an absolute pitance. The minister spoke of by the time we have 10,000 vehicles having to forego $2 million. It would be marvellous to have 10,000 hybrid vehicles on the road. The minister is complaining about his government having to forego this paltry sum of $57,000 out of a $25 billion budget. Has he not heard of carbon offsets?

Mr Schwarten: We have heard all of that. We do it in Q-Fleet—400,000 trees planted.

Mrs MENKENS: Yes, absolutely.

Mr Mickel: I remember your support on the Vegetation Management Act.

Mrs MENKENS: Absolutely. I have no doubt that the numbers of hybrid vehicles have improved by this stage and I have no doubt that they have improved because of the amount of publicity and the huge amount of interest that this incentive has actually generated. We need an enormous upsurge in numbers. It is disappointing to see that the Environmental Protection Agency is not leading the way in the uptake of hybrid vehicles. In response to a question on notice, the previous minister’s response was that the EPA had not set a target with respect to the number of current vehicles to be replaced with hybrid vehicles, nor does it specify or aspire to obtain a percentage of the fleet to be represented by hybrid vehicles. In 2005 the EPA had 25 hybrid vehicles, which is only five per cent of its fleet, and this has not been increased since. The EPA should be leading the way.

Earlier this year I was very pleased and interested to view two converted electric vehicles here in Brisbane and to be taken for a drive. Two electrical engineers removed the engines from their own petrol driven cars as a project they did in their spare time and they replaced them with battery-powered electric motors. They are very efficient vehicles. They tell me that they cost from 4c to 7c per kilometre to drive, they can achieve a speed of 110 kilometres an hour and have a battery capacity of 70 kilometres.

Mr Schwarten: How much energy does the battery consume? How much energy does the creation of the battery consume?

Mrs MENKENS: They are ideal vehicles for city commuting.

Mr Schwarten: You can’t answer that.

Mrs MENKENS: I take the argument of the energy that they consume.
Mr Schwarten: No, to create them—the cobalt in them. Answer that.

Mrs MENKENS: This is a circular argument and we can go around in circles on it. However, they are far better than petrol vehicles. It is interesting that Queensland Transport apparently does not have very efficient procedures for dealing with environmentally friendly vehicle conversions such as these. These gentlemen said that the whole process was quite expensive, time consuming and it was rather discouraging trying to get these vehicles registered. However, after a great deal of bureaucracy and red tape, such as the fact that they might have been a slight chip on the windscreen or a little bit of paint off the side of the car—these were the arguments that were sent back and forth—finally their vehicles have been registered. The initiative of these gentlemen is most commendable, but they also told me that they would have been very happy if they were allowed to have a concessional registration on their electric cars.

I challenge the Bligh government to follow Kevin Rudd’s lead. When asked recently on the John Laws show whether he supported free registration for hybrid vehicles he responded that he is interested in the idea of talking to the states about reducing registration fees for greenhouse gas friendly hybrid cars should he win office. When Kevin Rudd was asked on radio whether he would be interested in talking to state governments about registration fee relief for hybrids he said he thought it was a good idea.

This bill has generated an enormous amount of interest across Queensland and nationally. I have had radio interviews on this issue from as far afield as Western Australia and Tasmania. I have been quite heartened by the response from the public. This is an issue that has struck a chord with the wider community. It is so very interesting to see that the government is playing petty politics with it. Discussions with motoring organisations such as RACQ were very positive. The negative aspects of this bill are definitely somewhat difficult to find.

At present there are no financial incentives from this government for the uptake of any environmentally friendly vehicles. The coalition believes in incentives not impost, which to date has been the Labor government’s response to this issue. This government has labelled its position of increasing the vehicle transfer duty according to the cylinder numbers of the vehicle as an incentive. In reality, it is only a money-grabbing regime to attempt to finance social infrastructure, which is the government’s responsibility to fund, by using the excuse of environmental friendliness. This is a low blow to motorists, particularly those people who operate a commercial business in the transport industry or those people who live in remote areas where they have to have a six or an eight-cylinder vehicle just to get them to where they have to go. Under this system, which will be introduced in January 2008, the levy for a four-cylinder car will increase to three per cent; for a six-cylinder car the increase in transfer duty will be 3.5 per cent; and for an eight-cylinder the levy will increase to four per cent. It is interesting to note that hybrid vehicles will remain at two per cent.

I support the fact that hybrid and four-cylinder cars, as the minister has pointed out, are totally appropriate for city travel. However, there is a genuine need for larger vehicles in industry and remote areas. Why punish this portion of the community? I was interested to read a media article in June this year about the huge demand for hybrid vehicles. There has been an enormous uptake of hybrid vehicles. The two main players in hybrid technology in Australia, Toyota and Honda currently, both say that the limited number of vehicles available for retail sale are in big demand. The Honda spokesman stated that they are selling every unit they can get hold of and could sell more if they became available. This demand is also flowing into the used car market. Incentives are offered on environmentally friendly vehicles in many other countries and it is time that Queensland offered them as well.

I was disappointed in the minister’s comments, although I do thank him sincerely for his contribution. He outlined in great detail the major road funding costs that we have. I have respect for this minister, but we were privy to a litany of the huge costs that the government has to expend on road funding. Yes, we understand that. He also blamed the federal government for a lack of funding. I found his attitude rather disappointing. He quoted that this bill was favouring one type of technology over another. As I have tried to point out, it is not one technology over another; we are discussing green vehicles. Green vehicles is a broad description which currently encompasses the only two types of technology that are available which is electric and hybrid. I respectfully correct him when he is pointing out that we are favouring only hybrid vehicles.

So what would be an incentive to an individual person in terms of their vehicle registration is absolutely paltry to the government in light of its $25 billion budget. I was disappointed in the government’s arguments against this. If they were the best arguments the government could come up with, I imagine there are many members on the other side who have rather guilty consciences at having to politically vote against this very simplistic bill.

I thank particularly the member for Noosa, who is the shadow parliamentary secretary for this portfolio, for his comments. He spoke at length and reminded the government specifically about the stationary energy generation of emissions, which is the major problem with the transport emissions. This is the actual technology that hybrid vehicles and electric vehicles have over other types of vehicles.
I also thank the member for Hinchinbrook who spoke extremely strongly. He reminded us that we need financial incentives to encourage consumer demand. That is one of the main focuses and purposes of this bill.

The member for Currumbin spoke at length about the benefits to the community of environmentally friendly actions. She very rightly drew a parallel with the environmental village, which I look forward to visiting very shortly. She also spoke about environmental sustainability and longevity, and the parallel is a very good one. Every person must make an effort towards environmental sustainability. I thank the member for Caloundra for his contribution. As he rightly pointed out, this incentive alone will not be enough to make a major difference. I know that; we all know that. But, as he also pointed out, it is one more step in the chain to ensuring that our environment is protected and it is delivering for future generations.

The member for Lockyer gave a very entertaining and positive contribution and spoke about a Pyrrhic victory. However, he also pointed out very correctly the federal campaign and push towards gas conversion. The member for Robina pointed out in his contribution that if every person did one thing for the environment we would have a global movement towards climate change. As he pointed out, this very small bill would be one step towards that. He also pointed out very rightly that the coalition is on the front foot with our approach to climate change.

The member for Maroochydore pointed out in her contribution that there is a need for vehicles that are appropriately fuelled by alternative fuels. She also spoke well about the need for the promotion of this technology. The member for Moggill reminded us that today is National Ride to Work Day, which as he said was a very appropriate day to be discussing this bill. He drew very strong attention to the government’s budgetary constraints, where seemingly the government could not possibly afford to fund this bill. He also spoke of the coalition’s vision.

I thank the member for Surfers Paradise, the final speaker on this side of the House. We did seem to have a dearth of government speakers; they seemed to be otherwise occupied this evening and we did not seem to have many government speakers at all. The member for Surfers Paradise spoke about some very good initiatives towards a cleaner, greener environment and the overall vision that the coalition has.

This bill has no down sides. It is a clear, unambiguous response to reducing greenhouse emissions and reducing our use of and dependence on fossil fuels. It will cost next to nothing to implement and will give a clear indication of the importance of promoting alternative means of transport. It therefore staggered me that because of petty party politics this bill will be lost on party lines. Members opposite, regardless of their personal convictions, will be forced to vote against this bill and I have no doubt that many will have uneasy consciences. If we are to get serious about climate change and preparing to meet the future, we must be prepared to put aside party differences. We must be prepared to work together for future generations.

Good legislation is good legislation, regardless of who introduces it. I am sure that the Minister for Sustainability, Climate Change and Innovation, whom I have not seen in here yet this evening, must be very uncomfortable opposing this bill. This is the first real test of his character in this House and he fails because of a party direction. This bill has been debated on its merits. I only wish it could be voted on in the same way.

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


Resolved in the negative.

CRIMINAL CODE (DOUBLE JEOPARDY) AMENDMENT BILL

Second Reading

Resumed from 19 April (see p. 1388).

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (9.13 pm): On 19 April this year the member for Nicklin introduced into parliament as a private member’s bill the Criminal Code (Double Jeopardy) Amendment Bill 2007. This bill replaces an earlier version of the bill originally introduced by the member for Nicklin on 2 November last year. I am pleased to indicate the government’s intention to support the revised bill. Double jeopardy principles have been a longstanding plank of our criminal justice system. In fact, it has been said that the history of double jeopardy is the history of our criminal justice system.
The rule is thought to have its origins in the controversy between Henry II and Archbishop Thomas a Becket that clerks convicted in the ecclesiastical courts were exempt from further punishment in the King’s courts because such further punishment would violate the maxim nemo bis in id ipsum: no man ought to be punished twice for the same offence. This maxim stemmed from St Jerome’s commentary in AD 391 on the prophet Nahum: ‘For God judges not twice for the same offence.’

At times the protection it affords to individual liberty is undervalued and underestimated. The principles underpinning the double jeopardy rules include that a person should not be harassed by multiple prosecutions about the same matter, the need for finality in proceedings, the sanctity of a jury verdict, the prevention of wrongful conviction and the need to encourage efficient investigations. On the other hand, there is considerable public concern over the prospect that a person may escape conviction due to an earlier acquittal despite the emergence of new evidence that may prove his or her guilt, or despite the person having secured an acquittal by interfering with the administration of justice.

Eighty-five years ago the Queensland government, led by Ted Theodore, abolished the death penalty by removing capital punishment from the Criminal Code. When the then Attorney-General John Mullan introduced the legislation abolishing the death penalty, he said: ‘Laws must always be made and maintained with due regard to public opinion, because, when a law is no longer respected by public opinion, that law endangers rather than protects society.’ It is this sentiment that the government has adopted in considering reform to the double jeopardy rules. Advances in forensic science and DNA evidence may mean that compelling evidence not available at the original trial later becomes available. An acquitted accused may subsequently confess to the crime yet remain untouchable at law. An accused person may secure an acquittal through interfering with the administration of justice.

Although the government supports the revised bill, it recognises the importance of double jeopardy as a fundamental principle of our criminal justice system. The government also acknowledges that the interest of justice may require an acquitted person to be retried where an acquittal is obtained through interference in the administration of justice or where overwhelming evidence comes to light at a later stage. The revised bill achieves an appropriate balance between these two competing principles.

The bill creates two exceptions to double jeopardy protection—allowing a retrial for a charge of murder where there is fresh and compelling evidence, and allowing a retrial for a 25-year or more imprisonment offence if the original acquittal is tainted. An acquittal is tainted if the accused person or another person commits an administration of justice offence and secures an acquittal. This exception to the double jeopardy rule recognises that in these circumstances the accused has not had a proper and valid trial. Public confidence in the administration of justice is undermined if an accused can obtain an acquittal through interfering with the course of justice.

In a case that prompted the New Zealand Law Commission to recommend a tainted acquittal exception, it was considered unjust that a man acquitted of a murder after a defence witness gave false evidence could only be given a maximum penalty of seven years for perverting the course of justice. In effect, he was rewarded for perverting the course of justice as he avoided a life sentence. Restricting the fresh and compelling evidence exception to murder recognises both the importance of the protection from double jeopardy in our criminal justice system and the significance of murder as the most serious crime in our Criminal Code.

The ‘new evidence’ exception was the subject of detailed consideration and consultation by the United Kingdom Law Commission. Murder was selected by the UK Law Commission as the only charge entitled to rely on the existing protection from double jeopardy. Retrospective application would also have enormous implications for our law enforcement and prosecuting agencies.

It is important to note that whatever reforms are adopted it will not change the outcome in the Carroll case or enable any further action to be taken against Carroll. Even if the reforms are applied retrospectively, such as to leave Carroll vulnerable to a further prosecution, a retrial would only be possible if new evidence came to light that satisfied the requirement of being ‘fresh and compelling’.
The existing evidence cannot support a retrial against Carroll. This is because both courts of appeal after the murder trial and after the perjury trial did not think the existing evidence was sufficient to convict Carroll. The Chief Justice of Queensland, the honourable Paul de Jersey, told the Queensland Law Society Proctor publication in February last year—

It is noteworthy Carroll was not a DNA case. It is undoubtedly the virtually utter reliability of DNA analysis which gives teeth to push for this change.

The reform proposals will ensure that, if a case like this occurs in the future, a retrial for murder is possible should fresh and compelling evidence come to light after the acquittal. The revised bill will permit the implementation of reforms to double jeopardy rules in a manner that appropriately limits the pool of affected cases. It will enhance public confidence in the justice system while at the same time ensure that undue pressure is not placed on the criminal justice system and avoid adversely impacting on the rights of the vast majority of acquitted accused. I thank the honourable member for Nicklin for his readiness to accept my concerns and his endeavours to ensure that a bill was prepared that could be supported by the government.

Mr WEIGHTMAN (Cleveland—ALP) (9.22 pm): I rise to support the Criminal Code (Double Jeopardy) Amendment Bill introduced by the honourable member for Nicklin. This is a most controversial issue and I admire his drive to pass the amendments. The right to the finality of legal decisions is a fundamental human right. Indeed, in times gone by it may have been viewed as an irrefutable right within Australia. However, in the 21st century the law must take stock of technological developments.

Some 20 years ago the use of DNA technology was unheard of. However, today it is primarily responsible for numerous convictions right across the world. Taking this vast increase in criminal technology into account, the law too must adapt. Where is the justice in acquitting a person and later finding indisputable evidence that they did, in fact, commit the crime? Does such an acquittal uphold notions of justice? No, for if guilty persons are free to roam the streets then justice is not done.

Granted, the state cannot be given unfettered discretion to retry acquitted persons. However, there will be extenuating circumstances where the interests of the community in pursuing justice and the liberties of a person do not neatly juxtapose. Indeed, such circumstances should be rare indeed. If we as a body politic are to take our civic responsibility seriously then we must ensure that justice is done. This is not only for the sake of consistency but also for community safety and reflects the public sentiments.

Criminals should not be walking the streets. It would be a failure of the law to allow them to continue to do so when new evidence emerges. Times have changed and so must the laws with respect to double jeopardy. In such situations, it is imperative that justice prevail. Thus this amendment lays down a set of criteria upon which, if satisfied, a person can be retried for an offence. The standard is set high with only sentences of 25 years or greater being subject to a rehearing. Furthermore, the criterion of fresh and compelling evidence that was not and could not be adduced at trial sets a high standard. Moreover, evidence must be reliable and substantial.

Hence, it can be observed that the amendment makes every effort to balance the individual’s interests with that of society. Overarching the entirety of the new powers of rehearing is the requirement that the accused be able to receive a fair trial. The fetter of only one application of a rehearing per committal ensures that the amendment is a redefinition of the word ‘finality’ and not a licence for continued prosecutions.

Over the past few years numerous jurisdictions have decided to amend their laws with respect to double jeopardy. Queensland has waited until now only because it was agreed that there should be a common and uniform approach across the states. In September last year New South Wales passed a bill closely modelled on the UK version and today we envisage doing the same. I commend the bill to the House.

Mr McARDLE (Caloundra—Lib) (9.25 pm): I say at the outset that the coalition will be supporting the Criminal Code (Double Jeopardy) Amendment Bill. I congratulate the member for Nicklin, Mr Peter Wellington, for bringing this bill into the House. It is a bill that is long overdue. As the last speaker pointed out, Queensland will now be the second state in Australia to implement such legislation once it is passed by the House tonight. The question of double jeopardy has been enshrined in our criminal justice system for many hundreds of years. In essence it is that a person cannot be tried twice for the same offence.

As I have said on many occasions in the past, the criminal law needs to reflect modern society’s mores and in that regard double jeopardy has been under threat for some considerable time. The Honourable Justice Michael Kirby, in an article titled ‘Carroll, double jeopardy and international human rights law’ in the Criminal Law Journal in 2003, went into great detail with regard to the history of the principle, the pros and cons for change and, finally, the impact of article 14(7) of the International Covenant on Civil and Political Rights which reads—

No-one should be liable to be tried or punished again for an offence for which he has already been finally acquitted in accordance with the law and penal procedure of each country.

Whilst that may be an accurate sentiment the reality we face in a modern society is that the onrush of technology and the irresistible necessity to ensure that justice is truly done cannot be ignored.
Justice Kirby in his article ran through a number of pros and cons as to why the amendment should be proceeded with at any given time. Some of those arguments for change include that, in years gone by, one of the major concerns was putting a person through the horror of a second trial particularly if that person could be subject to capital punishment. That sentence no longer exists under Queensland law. It has also been argued strongly in the past that closure of the legal process is equally important. Whilst I certainly can concur with that there is also the overriding principle that justice must always be done.

In addition to that Justice Kirby raises the important question—and this is very important in terms of the bill before us tonight—of the availability in more recent times of DNA and other scientific evidence that can and does provide conclusive evidence of guilt or innocence. In 2001 the Queensland Court of Appeal in Butt v Queen, in which DNA evidence featured, did allow a jury verdict to be set aside because of evidence conclusively proving to the contrary. There has always been the doubt and concern about a person who was acquitted confessing to the crime in a reliable set of circumstances. I recall recently in England a person boasted of a wrongful acquittal and subject to the court’s direction was convicted of murder under their double jeopardy rules.

Against change, of course it has always been argued that double jeopardy is a very ancient rule going back, in some cases, to Magna Carta depending upon whom one listens to. However, the principle basically has found its origins in religious, morality and law. In addition to that, there has always been the concern that if the double jeopardy principle were set aside a jury may well become aware of the circumstances under which they are retrying a matter and therefore learn of evidence that they should not be aware of prior to rehearing the case. It is against that background and with that in my mind that the bill has been framed. When one reads through the bill, we see that there are major safeguards put in place.

First of all, the bill defines what type of offence can be dealt with and in that essence it is quite clear that under section 678B and C it covers murder and tainted acquittals where a person has been acquitted of an offence that carries a sentence of 25 years or longer. The bill goes on to define what is a tainted acquittal and that to be retried for murder requires fresh and compelling evidence, terms which are defined within the bill. The overriding consideration is that even if there is fresh and compelling evidence or an acquittal is tainted then it still must be in the interests of justice for a person to be retried, and that is a term that is dealt with under section 678F of the bill. This particular section provides matters for consideration including the length of time since the person was said to have committed the offence and whether or not the police or the prosecutor acted with reasonable diligence in relation to the charge or trial.

The term ‘fresh and compelling evidence’ is considered in section 678D, and it is interesting to note that ‘fresh’ is defined as not having been adduced in the earlier proceedings and could not have been adduced in the earlier proceedings. I can certainly envisage that the immediate catalyst for this bill was in fact the tragic and very sad murder of Deidre Kennedy and the acquittal of Raymond John Carroll in a series of trials and appeals to the High Court and beyond. Concern in relation to this bill is that the bill itself will never attach to Carroll because all of the evidence had been put before the initial courts and therefore would not fit the definition of ‘fresh’ as contained in the bill presented here tonight. The bill also makes it very clear—and these safeguards are very important—that it is only the DPP who can apply to the Court of Appeal to have the guilty verdict overturned, and then to further safeguard a proposed defendant the fresh indictment must be presented within two months of a Court of Appeal making the relevant order. Finally, the bill allows for a presumption of bail, and in these circumstances that is appropriate given the nature of the initial application to the court.

One matter that I perhaps do wish to raise with the member for Nicklin and also the Attorney is the consideration in a matter of this nature that Legal Aid be given to a defendant as of right. I say that given the background under which such a fresh charge can arise. One can certainly envisage that a person has already been through the rigours of a trial and several appeals, if not in fact a retrial. Therefore, they would have incurred potentially significant legal costs. It may well be that if the state is going to be allowed to reopen a matter in these circumstances then the obligation may also rest on the state to pick up legal fees associated with the second offence and it may well be an ongoing procedure thereafter. As I said, the opposition will be agreeing to the terms of this bill.

I quickly want to turn to an article that appeared in the Weekend Australian in August this year titled 'A test of innocence' by Mark Whittaker. That article looks at the other side of the use of DNA—that is, DNA being used to establish the innocence of men and women convicted of serious crime. The article states that the first occasion DNA was used to acquit an earlier convicted person was with Kirk Bloodsworth, who had been convicted of the rape and murder of a nine-year-old child in 1984 in the USA. He was convicted and spent two years on death row and nine years after his arrest he was acquitted as a consequence of DNA testing. The article refers to the fact that in Australia only two people have been able to have DNA evidence retested outside the extended appeal period, but in the USA up to 200 people have been acquitted by way of DNA exoneration.
Griffith University operates the Innocence Project and in an article titled ‘A question of innocence: facilitating DNA based exonerations in Australia’, Lynne Weathered raises a compelling argument for consideration to be given here in Queensland and indeed perhaps in a uniform system across Australia by which people who are claiming innocence can have access to specimens, scientists and equipment to establish whether or not that innocence is justified. She lists four or five particular points that she sees as relevant in the article and then goes on to say that if double jeopardy is to be amended in part because of DNA evidence then we need to put in train a regime to ensure evidence and technology can be used to acquit those wrongly convicted. It may well be that a commission perhaps either at a state or federal level may be able to be set up to remove a taint of bias or suggestion of bias, and that commission based upon individual and expert evidence can attest a matter going back before the relevant court in the state to look at whether or not a person should in fact be acquitted of an earlier convicted matter. We support the bill.

Mr RICKUSS (Lockyer—NPA) (9.35 pm): I rise to speak on the Criminal Code (Double Jeopardy) Amendment Bill and congratulate the member for Nicklin for bringing this bill to the House. One of the reasons this bill was brought to the House was the persistence of Mrs Faye Kennedy over the death of her daughter Deidre. Mrs Kennedy is now actually a constituent of mine and I see her from time to time, so I support this bill before the House.

There were some relevant points made by the member for Nicklin when he introduced the bill, and one of them was that Mrs Kennedy, the mother of murdered baby Deidre Kennedy, said that it is anachronistic obstacle to justice. The safeguards of the new proposal will make retrial an exceptional remedy in rare cases in which there is new and compelling evidence of guilt.

Ms PALASZCZUK (Inala—ALP) (9.37 pm): I rise to support the private member’s bill introduced into parliament by the member for Nicklin. I note that this current bill replaces the bill introduced by the honourable member in November last year, and I welcome the shadow Attorney-General’s support for the bill. This revised bill recognises the importance of the principle of double jeopardy in the criminal law of this state. This principle states that no-one should be tried or punished twice for the same offence. The rule against double jeopardy has long been held as an important tenet of our justice system. In an article by K Pennington published in the University of Chicago Law Review 1997, he points out that the principle can be found in the ancient Roman statute of the Emperor Honorius. The Bible also rendered support. St Jerome interpreted an opaque passage in the prophecy of Nahum that God will not judge a defendant twice.

In Queensland the concept of double jeopardy is embodied in the Criminal Code. Section 16 is the rule against double punishment for the same act or omission. Section 17 provides a defence where the person has previously been acquitted or convicted of the offence for which they are charged. The power which underpins this fundamental principle can be found in two obvious facts: without safeguards the power to prosecute could readily be used by the executive as an instrument of oppression; further, finality is an important aspect of any system of justice. Advances in science and technology have put this principle in the spotlight over recent years. As new evidence becomes available through these advances, the public is understandably increasingly uncomfortable about allowing persons guilty of serious crimes to escape punishment.

It is interesting to note that the 800-year-old law was overhauled in England in 2005. In 2006, Billy Dunlop pleaded guilty to the murder in 1989 of a 22-year-old woman, Julie Hogg. He had previously been acquitted of the case. In this case Julie Hogg, a mother, was murdered and her body hidden behind a bath panel. Her mother found her body 80 days afterwards. In April, the changes to the 800-year-old double jeopardy law, which prevented someone who had been acquitted by a jury being tried again on the same charge, opened the door for the Cleveland police to revisit the case.

At the time a Home Office spokesman is quoted as saying in relation to the changes—

It is important the public should have full confidence in the ability of the criminal justice system to deliver justice.

In England, the Court of Appeal can now quash an acquittal and order a retrial when new and compelling evidence is produced. Professor Adrian Keane, Dean of the Inns of Court School of Law in London, spoke of the equivalent changes to the law in Britain in an article published in the Times on 20 May 2003 in which he stated—

Abrogation of the rule against double jeopardy is not some first step on a road to loss of individual freedom. The rule is an anachronistic obstacle to justice. The safeguards of the new proposal will make retrial an exceptional remedy in rare cases in which there is new and compelling evidence of guilt.
This bill before the parliament seeks to balance these two very important considerations by proposing some exceptional circumstances in which the rule against double jeopardy applies. It seeks not to abandon the principle of double jeopardy but to define those limited circumstances in which a retrial will be permitted.

There are, in fact, two exceptions to this rule created by this bill. The first relates to the situation where fresh and compelling evidence becomes available, as the member for Cleveland mentioned in his speech. This exception will apply only in the case of murder. The second is in situations where a verdict is tainted. In recognition of the significance that any departure from the double jeopardy rules will have on the criminal law of this state, the fresh and compelling evidence conception will apply only to murder.

In Queensland, the issue of double jeopardy has been widely debated in legal circles. Justice Roslyn Atkinson, in a speech given to the Australian Law Students Association double jeopardy forum in July 2003, put forward her views discussing the proposed amendments to the law. I recall several years ago attending a Labor Lawyers seminar at which we discussed the law as it surrounds double jeopardy. Even at that forum the lawyers in the room were equally divided on this issue.

Safeguards are in place in the bill that will require an application to be made to the Court of Criminal Appeal for a verdict of an acquittal to be quashed and a retrial ordered if fresh and compelling evidence becomes available. In order to satisfy this requirement, this new evidence must not have been adduced at the original trial and could not have been so adduced with the exercise of reasonable diligence.

There is a further requirement that the evidence be compelling. That means that it is reliable and it is substantial and in the context of the issues in dispute in the proceedings in which the person was acquitted, it is highly probative of the case against the accused person. I feel confident that no-one in this chamber would argue that a person should remain in jail if convicted of a serious offence if fresh and compelling evidence came to light subsequently which indicated their innocence. The same principle should also apply to acquittals.

The second exception relates to a case where a verdict is tainted by an administration of justice offence. It is a requirement that before this exception will operate a person must have been convicted of an administration of justice offence. These offences include witness tampering, bribing a juror or judge and perverting the course of justice. The sound policy reason behind this exception is that a person should not be able to benefit from such an act. The exception applies only to offences for which the maximum penalty is 25 years or more and there are various requirements which have to be met first.

The DPP must make application to the Court of Appeal and must prove to the satisfaction of the court that the acquittal was a tainted acquittal and that in the interests of justice an order for retrial be made. The requirement for a conviction of the administration offence is an important safeguard against oppressive conduct by prosecuting authorities.

David Blunkett, who as Home Secretary oversaw the double jeopardy reform in Britain, commented in 2006, after the sentencing of William Dunlop—the case I mentioned earlier—the first person to be convicted under the new laws—

... people argued about the medieval right not to be tried twice, as though fraudulently getting off was some sort of game in which, if you’ve fooled the justice system once, you have got away with it forever.

The other important feature of this bill is that, unlike the English position, it is not to have retrospective operation. The underlying principle that legislation should not, except in exceptional circumstances, have a negative retrospective effect on citizens is what might be called one variation of the social contract, that is, a citizen is prepared to accept the legal consequences of any act he or she may commit on the condition that the government has done its part by duly proclaiming beforehand all laws that relate to the actions of its citizens. As the Attorney-General has said, it is a fundamental legal principle that legislation should not adversely affect citizens’ rights and liberties or, conversely, impose obligations in a retrospective manner. This principle should not be departed from lightly.

Not only would such a departure have significant legal consequence, it would also have significant resource implications for various bodies within the criminal justice system. There is an inherent conflict between these two important principles, but this bill strikes the right balance between the interests of justice and the rights of the citizens in this state.

Public agitation for change to the double jeopardy rule followed high-profile acquittals for murder in a number of cases, to which the member for Lockyer also alluded. I congratulate the member for Nicklin on his preparedness to negotiate with the government to ensure that he was in a position to present a bill to the House that looks like it will be accepted by the majority of members. I understand his deep commitment to this issue. The outcome of this amended bill will now mean that Queensland is in line with contemporary legal thinking and community thinking in relation to this issue. As the member for Nicklin and I discussed earlier today, Queensland might lead the way for other states to follow. I commend the bill to the House.
Mrs Cunningham (Gladstone—Ind) (9.46 pm): I rise to speak in support of the Criminal Code (Double Jeopardy) Amendment Bill 2007 and acknowledge the work that the member for Nicklin has put into the preparation of this legislation. I cannot think of anything more gut wrenching for a family than the experience of the Kennedy family. To have a small baby—17 months old—murdered in the way in which she was and thrown away like so much refuse on to the top of a toilet block is in itself trauma enough for any family to have to even commence to try to cope with. I think to then have the perpetrator acquitted after a trial, then found to have committed perjury and still not able to be made to answer for his crimes would be enough to send most parents over the edge; I really do.

On top of that—and I only know this anecdotally—it is my understanding that the perpetrator, and I am not going to use the word ‘alleged’ perpetrator, would taunt the Kennedy family, particularly Mrs Kennedy, at her place of work. How verbal that taunting was is something that I possibly cannot comment on but I can remember reading articles about the anguish that this family went through because of what they had had to put up with.

Because this legislation is not retrospective, it will not be an answer for the Kennedy family. It will not give them an opportunity to have closure in respect of having the mongrel who did so much harm to their family and treated their daughter with such disdain and disrespect being sentenced. However, Mrs Kennedy can hold her head high in the knowledge that her persistence on this matter has meant that not only in Queensland but also in other states the situation has been addressed. The incident with Deidre occurred in 1973. So the Kennedys have worked for a long time. Whenever her story was told it was poignant and you could not help being affected by it.

As I said, this bill will not address all of the issues of trials where family members of victims feel that they have not received justice. It is not retrospective and the member for Nicklin has constrained the application of the double jeopardy rule to a very specific area, that is, the 25-year offence.

According to the explanatory notes to the bill, life offences include serious riot offences, piracy, serious sexual offences including rape, maintaining an unlawful sexual relationship, incest, sodomy, unlawful carnal knowledge, murder, attempted murder and manslaughter, serious offences relating to inflicting grievous bodily harm and disabling to commit offences, endangering the safety of railways and aircraft, robbery, burglary and arson. Offences punishable by 25 years include sabotage and the most serious drug offences relating to drugs in schedule 1 of the Drugs Misuse Act 1987.

While I acknowledge that there are some other constraints in relation to the definition of ‘acquittals’ et cetera contained in the bill, the list of 25-year offences contains very serious offences. They are all offences that have the potential to retraumatise the victims over a period and on a repetitive basis. When a victim is in such a situation, memories are brought back to haunt them. Therefore, I think it is appropriate that, if there have to be constraints, those constraints are not so tight that they exclude such intrusive and unacceptable—I cannot think of a superlative that is suitable—behaviour.

The bill rightly gives protection or balance between the principles that the guilty should be convicted and that acquitted persons should not live the rest of their lives under the threat of retrial. That has been balanced with the fact that when a trial has been conducted, because of a bad finding or a tainted trial, been unable to answer for the serious offences that they have committed, they should be brought to justice and they should be made to answer for their actions.

I welcome the legislation that has been introduced by the member for Nicklin. My only regret is that people such as the Kennedys will still have to carry a burden that is greater than frustration; the burden of grief. However, for future situations where the perpetrator has, through a varying array of incidents, been able to get away with answering for their crimes, and with the new forensic processes that are available to us, it can only be hoped that this bill will bring relief to some families who have been hurt in the most atrocious way. I support the bill.

Mr Foley (Maryborough—Ind) (9.51 pm): I rise to congratulate my Independent colleague the member for Nicklin on this very sensible and long-overdue amendment to the legislation. I believe that most people would have barely heard of the term ‘double jeopardy’ until 1999 when a movie of that name graced the silver screen in the United States. The plot of the movie was that a woman is set up to take the fall for her husband’s murder. After serving prison time, she is released to discover that her husband’s death was faked and that her son is missing, having been put up for adoption. With the help of her parole officer she goes on the search for her son and husband, with the idea of killing the latter knowing that to try her again for murder would constitute double jeopardy.

I found this a particularly interesting movie. Not being a lawyer, I had never heard of the principle of double jeopardy. Like many other people in the community, I would have been scratching my head and saying, ‘Is that real that someone who has been acquitted of a particular felonious offence can walk away scot-free?’

I think the thing that has changed this legal playground that we seem to live in is the advent of DNA testing. Of course, DNA testing has spawned a whole series of interesting legal situations. A person could say with some certainty, ‘These are the ground rules’, but the ground rules have changed. Now there is a degree of certainty that comes from the science of DNA, and it can be used to argue a very compelling case for the overturning of the long-held principle of double jeopardy.
When a society becomes devoid of the milk of human kindness, we must have legislation that deals decisively with these sorts of issues. My independent colleague the member for Gladstone talked about the Kennedy case. Whilst legislation that is not retrospective is cold comfort to a family like the Kennedys, perhaps it could give them some closure knowing that changes to the legislation could make a difference to another family that has become the victim of an incredible tragedy such as theirs.

I am pleased that the amendment has not been made retrospective and that it has limitations such as the 25-year rule. Those things are fairly commonsense.

The principle that a person cannot be charged with an offence for which he or she has already been convicted or charged, contradicting an earlier verdict by preferring a different charge such as perjury, is also encompassed by the double jeopardy principle. We see that in the High Court decision of the Queen v. Raymond John Carroll. For a long time the double jeopardy rule has been regarded as a fundamental principle of common law.

The principles underpinning these rules include that a person should not be harassed by multiple prosecutions. This is where it becomes a very difficult issue. If a person is genuinely innocent and they have to bear multiple prosecutions, that could be enough to drive a person over the edge. However, the greater tragedy by far would be if a person is guilty and has been able to get away with a crime through the actions of a smart barrister.

In the United Kingdom, after the 1993 murder of Stephen Lawrence, two inquiries called for the modification of the rule and we have certainly seen that come into effect. A couple of speakers have mentioned the Chief Justice of Queensland, Paul de Jersey, who I might add is an old Maryborough boy. I agree with his statement that the reliability of DNA evidence has strengthened the argument for changing the centuries-old rule.

We do have to look at the other side of the coin. A Melbourne lawyer named Melvyn Barnett is a very active victims’ rights campaigner. He says that in cases where there is clear evidence brought forward subsequently that a person is guilty of a crime, and technical evidence nowadays is so much greater than it ever was, we should reconsider that person being brought into court again. He said that he feels that it is an affront to society to know that there are people walking around who, just because there was insufficient evidence, which of course at its utmost is a technical problem, are found not guilty and go unpunished for a crime that they did not admit.

The UN International Covenant on Civil and Political Rights, article 14(7), states—

No-one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

In the United States, it is enshrined in the Constitution as the Fifth Amendment, which states, ‘No person shall be … subject for the same offence to be twice put in jeopardy of life or limb …’. The New Zealand Bill of Rights Act 1990, section 26(2), states—

No-one who been finally acquitted or convicted of, or pardoned for, an offence shall be tried or punished for it again.

The European Union Charter of Fundamental Rights and the Canadian Charter of Rights show that this is a very entrenched legal position. It is not just an Australian principle.

In March 1985 in the Supreme Court of Queensland Carroll was convicted by a jury of the murder of the infant Deidre Kennedy in Ipswich in 1973. In November 1985, on appeal to the Queensland Court of Criminal Appeal, the conviction was quashed on the grounds that the evidence could not sustain the verdict. However, in 2000 Carroll was tried and convicted for perjury at his 1985 trial. That conviction was quashed on appeal by the Queensland Court of Criminal Appeal on the grounds that it violated due process and the principle of double jeopardy, and that the evidence lacked weight or cogency.

I think that it is the right time for this legislation. I have wrestled with this particular issue. I asked myself whether this is an unfair impingement on people’s natural rights to justice. However, I believe that the good outweighs the bad in this particular principle.

Bond University criminologist Paul Wilson, who has a very high profile in the media, believes that there is community support for such a change. He says—

I think, not unreasonably, the public says if there is compelling evidence that a person who’s been found innocent may have committed the offence for which they have been found innocent, and that compelling evidence is clear-cut DNA evidence, then there is strong argument for retrying that person again.

I started my contribution by saying that the thing above all else that seems to have changed the ground rules of a centuries-old legal position is, of course, DNA. As science changes, not just DNA, and as the particular investigative methodology increases in its efficiency, more and more cases will come to light that would warrant a retrial. For that reason I commend again the member for Nicklin, my colleague, and I commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (10.00 pm), in reply: I thank all members for their contribution. Could I start by leading with the comment expressed in the contribution made by the member for Inala where she was hopeful that perhaps other states in Australia that have not yet modified their double jeopardy laws may be inspired as a result of our decision tonight. Tonight is a very important time in the
I thank the Attorney-General, the member for Toowoomba North, for his support. I thank the members of his cabinet and the members of the government for their willingness to see how a motion moved by a member of the crossbenches, not a member of the opposition, could actually see the light of day for the good of all Queenslanders and hopefully play a part in a small way for the good of all Australians. The Attorney-General gave a detailed history lesson on the double jeopardy laws and it was refreshing to hear that. He spoke about the Carroll case and the role that it has played. I thank him for his support and for the lengthy discussions we have had on both the original bill that I introduced in 2006 and the lead-up to the introduction of this bill early this year.

I thank the member for Cleveland for acknowledging the controversial issue that we are debating tonight and the need for our laws to have a balance. He also spoke about the need for justice not just to be done but also to be seen to be done. That simple message has been reflected so often in our community over recent years. He spoke about the importance of being able to make sure that our laws deal with new evidence that becomes available after a person has been tried by the courts. He identified the need for a common, uniform approach to the changes to the law.

I thank the member for Caloundra, the shadow Attorney-General, for his support. I also thank members of the opposition, both Nationals and Liberals, for their support. It sends a very clear message that we can all work together for the good of all Queenslanders. Hopefully other politicians in other states and territories who do not have their laws modified like ours will follow our lead. The member for Caloundra spoke about the need for justice to be done and spoke about Justice Kirby and his views. He brought another perspective and added further detail and particulars to the matters that we have debated tonight in relation to this bill.

The member spoke about the importance of new evidence being available to be tested in a court and identified the significance of the safeguards which I have included in the bill. He also identified that it is not likely that we will see a rash of new applications by the Director of Public Prosecutions to the Court of Appeal. I believe he is spot-on when he says that there will be only limited cases where the Director of Public Prosecutions will make an application for a case to be reheard. He also identified the need for the Court of Appeal to be convinced that it was in the interests of justice for the matter to be brought back before the court. He spoke about the Deidre Kennedy case and about the safeguards. I thank him for his contribution.

The member for Lockyer also spoke about his involvement with Mrs Kennedy and identified how science has certainly changed and moved on. He identified the importance of having a balance in our laws. He also identified how there is protection so that police who may not always do the right thing cannot go on a witch-hunt and persecute a person who has been acquitted and should rightfully and lawfully be able to move on with their life. He identified the safeguards which are very important in this bill.

The member for Inala recognised the importance of the double jeopardy principle and also the need for safeguards. She spoke about the 800-year-old law and how there needs to be public confidence in our legal and justice system. She identified how a retrial is an exceptional case. I expect that that will be the case. She identified how the issue of double jeopardy has been extensively debated in Queensland for many, many years. She also identified the safeguards which have been included in this bill.

The member for Gladstone, my Independent colleague, spoke about the trauma that the Kennedy family must have had to endure after the death of baby Deidre. I would hope that the Kennedy family might be able to take some comfort that while this bill is not retrospective it might commonly become known in the future as the Kennedy amendment. There is no doubt that, when they rise tomorrow and perhaps hear of the significant decision that we have made tonight, the thousands of Queenslanders who joined Mrs Kennedy in her campaign to have the law changed might actually reflect on a few years ago when they took the time to sign a petition and add their names and signatures to a very important petition.

Sometimes people say a petition carries no weight. Sometimes people think they have no impact on changing laws in Queensland. I genuinely believe that this is a real-life example where ordinary people have made a difference. They have put pressure on politicians, especially in Queensland, to work and work and keep working to see the law changed. I reflect on how our former Premier pursued this matter at the Premiers’ Conference. Former Attorneys-General have raised the issue. Tonight we have seen how we can all work together and hopefully play a small role in seeing the law changed.
The member for Inala spoke about the need to negotiate. I think that it is important that we be able to compromise. Never can we get everything we want. The Attorney-General made it clear to me that the government was not prepared to support the retrospective component, but hopefully, as a result of our decision tonight, good will come out of this change to our law. The member for Gladstone also identified that this bill is not retrospective but hoped that the Kennedy family might receive some comfort in knowing that they have played an important role in changing the law in Queensland for the good of all Queenslanders and, hopefully, other Australians. She also identified the safety mechanisms that are included.

I thank my other independent colleague, the member for Maryborough, for his contribution. He spoke about the importance of our laws needing to keep pace with the event of new technologies. He spoke about the role of DNA testing and the importance of new evidence which is significant and compelling. He spoke about the importance of our laws to ensure that where appropriate and where the safeguards have been met there should be an opportunity for the exception and for that new evidence to be tested in a court. He also spoke about the need for a person who has been acquitted to not be harassed and to be able to move on and live a normal life.

I conclude by thanking all members for showing Queenslanders that we can work together for the good of all Queenslanders but, more importantly, thanking Mrs Kennedy and the thousands of Queenslanders who made the effort to sign the petitions to remind us all that we have to always be aware of how we can change the laws for the good of all Queenslanders. I thank members for their support.

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

Consideration in Detail

Clauses 1 to 4, as read, agreed to.

Third Reading

Question put—That the bill be now read a third time.
Motion agreed to.

Long Title

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

ADJOURNMENT

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (10.10 pm): I move—That the House do now adjourn.

Sex Offenders

Mr MESSENGER (Burnett—NPA) (10.10 pm): Despite the mistruths and disinformation that the police and corrective services minister is disseminating, 35 dangerous sex offenders and repeat child rapists—soon to rise to 100—have been released back into the Queensland community in secret. Their personal details including residential addresses are placed on a child protection register and only a very few select people are able then to access that information—certainly not the regular mums and dads of Queensland.

Clause 69 of the Child Protection (Offender Reporting) Act 2004 restricts access to the register. If you, I or any ordinary Queenslander wanted that information, we would be denied access. If a police officer or corrective services officer gives out that information without special permission from the police commissioner to Queensland’s mums and dads who might like to know if a repeat child rapist and sex predator is living near their neighbourhood, then those officers would be charged with breaching clause 70 of the Child Protection (Offender Reporting) Act 2004. That means that those police and corrective services officers would face a fine of $11,250 or two years imprisonment.

To add insult to injury, dangerous sex offenders have rights of access to all reportable information about them enshrined in Labor legislation—which is in clause 73—while the victims, their families and potential victims have no rights whatsoever under this Labor legislation. That is why we will hear of more reports of notorious paedophiles, as was the case on Thursday, 11 October 2007, when Desmond George Buckby was arrested in Townsville after allegedly allowing five children under 16 into his home.
The other alarming fact is that none of these repeat child rapists and violent sex predators are being properly tracked or monitored after they are allowed out of jail by this government. The grey-headed flying fox, which was the subject of Minister McNamara’s ministerial statement this morning, is fitted with a GPS tracking device and is monitored in Queensland better than child sex offenders. If GPS tracking is good enough for flying foxes, why cannot the police minister use it for paedophiles?

A state coalition government will focus on the protection of victims and future victims because research from the International Journal of Offender Therapy and Comparative Criminology, through Gene Abel and colleagues in 1987, indicates a high rate of undetected offending. A study group of 89 rapists reported an average of 7.5 undetected offences per offender. A study group of 232 child molesters reported an average of 75.8 victims undetected offences per offender.

The fact remains that the priority for this government is the rights and liberties of repeat child rapists, molesters and paedophiles—not the rights, liberties and protection of Queensland children and women. Time is running out. At the very least, fit Queensland’s dangerous sex offenders with the same GPS tracking technology as the grey-headed flying fox.

Teaching Queensland History in Schools

Mr HINCHLIFFE (Stafford—ALP) (10.13 pm): In the infancy of the federal election campaign, it is timely to talk about history. History is indeed destined to be made during this federal election, whichever way it goes. I am very sure that the Australian people will see the wisdom of rejecting the unfair industrial relations system that has been foisted upon them by the Howard government and, like another historical event I will come to in a moment, we will see the rejection of that government and a new Labor government will be elected in this country. That will be a milestone in this nation’s history.

When speaking about milestones in Australian history, I want to refer to the recently published Guide to the Teaching of Australian History in Years 9 and 10, which has been issued by the federal government very much under the hand of the Prime Minister. Indeed, he wrote the foreword to the document and personally endorsed the Australian history external reference group who were ultimately the authors of the Guide to the Teaching of Australian History in Years 9 and 10.

I must admit that I was alarmed by media reports about this document when it was first issued by the federal government and particularly the education minister, Minister Bishop. Those media reports spoke about the challenges around the document as it was presented because it seemed to miss pretty significant events. To be fair, I have looked very closely at this curriculum item. It is a fairly decent working base for history teachers to use in years 9 and 10. It does, however, miss a lot of really important Queensland events—things that are important to Queenslanders. It is very much a southern state centric document.

In particular, I am very concerned about the fact that it does not speak at all about the sugar industry. I think some colleagues on the other side of the chamber would agree with me that that is very important to Australian history and indeed Queensland history. In particular, it fails to refer to the significant and very grave issue of the use of South Sea Islander labour in the establishment of the sugar industry in Queensland and the significant role that played going onwards to the political arrangements of the Federation of Australia.

Responsible Pet Ownership

Mr DICKSON (Kawana—Lib) (10.16 pm): Tonight I would like to acknowledge the work of the RSPCA in protecting and caring for animals. For many of us, myself included, pets have been a wonderful part of our family life. My children were fortunate to grow up with a dog and it was a very sad day when we had to farewell him after he became terminally ill. He was a much loved member of our family.

Pet animals are a great comfort, particularly to older members of our community. They provide companionship and, in the case of dogs, a reason to keep active by taking them for walks. But of course the value of domestic animals in our society is much broader than just as pets. Consider just one example: the work of assistance dogs, which have extended the familiar seeing-eye dog role into a program that helps many disabled people in our community live a more active and self-sufficient life. Riding for the Disabled shows how horses can help in a similar way, and I feel for the Riding for the Disabled providers and clients who have been affected by the equine flu.

As Christmas approaches, many parents will be thinking about a pet as a gift. Sadly, each year the RSPCA has to remind us of the number of animals that will end up abandoned or delivered to shelters because their new owners have not thought enough about what is involved in caring for a pet. On top of this are the problems created by feral animals attacking our wildlife. These are often pets that have been let loose to fend for themselves or the offspring of domestic animals that have not been desexed.
I add my voice to the RSPCA's in calling on my fellow Queenslanders to be responsible when deciding on a pet. The advice is so simple. Keep your cats inside overnight so they cannot prey on native wildlife. Unless you are a registered breeder, have your pets neutered so we do not end up with hundreds of unwanted pups and kittens. Being a responsible pet owner also means remembering that animals, like children, should not be left in cars. We would think in a climate like ours this would be obvious advice, but each year the RSPCA still has to rescue dogs left in cars by their owners.

When deciding to buy a pet, consider what it will mean in terms of caring for it, exercising it and feeding it. As the RSPCA says, a pet is for many years, not just for a Christmas present. If you are thinking about a new pet, what better could you do than go to the RSPCA. Last year, the RSPCA found homes for more than 11,000 animals. RSPCA workers will give you good advice and the animal you choose will be desexed and microchipped. Microchipping can save a lot of heartache if a pet gets lost. Last year the RSPCA in Queensland alone had more than 36,000 calls about lost pets. These services are just part of what RSPCA workers do. They rescue abused, injured and abandoned animals and investigate animal cruelty.

The RSPCA is also devoting increased resources to caring for native wildlife which are under threat due to drought and loss of natural habitat. I encourage all my colleagues in this House to do what they can to support the RSPCA in their own community. It is reliant upon volunteer help and donations, with less than two per cent of funding coming from the government. Let us give the RSPCA the help that it deserves by being responsible pet owners in Queensland.

Time expired.

Pacific Islander Celebrations

Mrs SCOTT (Woodridge—ALP) (10.20 pm): There is little to compare with the enthusiasm, energy and actual roar of the crowd of hundreds of predominantly Pacific Islanders in an auditorium—in this case the Logan Entertainment Centre—all supporting fantastic student performances. The venue was packed to the rafters with families and students supporting their fellow students as they recently competed for trophies showcasing cultural dance and music. Participants came from Marsden State High, Woodridge and Mabel Park state high schools, Logan students from Sunnybank State High and a mixed cultural group from the Heilani Polynesian School of Arts.

The night was the culmination of a number of Spark It Up programs held in our high schools to encourage our Pacific Islander young people with music and dance including hip-hop and krumping, guest speakers who were great role models for our students and of course food. This evening was an opportunity for our young people to share their culture and to feel proud of their heritage. It was all about celebrating our Islander culture and enjoying excellence in their artistic talents. I want to congratulate the organisers of this superb evening and the many behind-the-scenes workers, all of the teachers and staff who assisted, and particularly to say ‘well done’ to the participants.

Once again the Miss Samoa Australia Pageant was held at the Logan Entertainment Centre in early August and displayed the finest talents of the six young women contestants. While not a beauty contest, the various categories showed a beauty of spirit, and during the evening the audience was treated to a wide variety of talented performances. Each contestant introduced themselves and gave a speech outlining their interest, they paraded in traditional costumes which were simply stunning, displayed their talent in either music, dance or drama, paraded in a casual sarong, answered questions in an interview and finally took part in a charity performance. We were very honoured to have the Samoan Deputy Prime Minister and Minister for Tourism, the Hon. Misa Telefoni Retzlaff, with us, as well as the Mayor and Lady Mayoress of Logan, Graham and Margaret Able, Mayor of Ipswich, Paul Pisasale, Deputy Mayor of Logan, John Grant, Indigenous elder, Aunty Betty McGrady, and many distinguished guests from the Samoan community including the judging panel, our emcees and sponsors.

The judges had a very difficult task. The six finalists—Taioalo Cassandra Marie Tuato McCloud, Filipina Darlene Petelo, Faythe Vaivasa Rose Fruean, Rossanna Nalesoni Sione Pedebone, Salamasina Sara Vallee and Antoinette Clarke—were extremely talented and gracious young women. Finally, Salamasina Sara Vallee was announced the winner. Many bouquets, awards, trophies and monetary gifts were bestowed upon a number of the contestants and the 2006 winner, Loretta Marina Frost, relinquished her beautiful crown to crown the new title holder, the 2007 Miss Samoa Australia.

CityCare Brisbane

Mr FOLEY (Maryborough—Ind) (10.23 pm): I rise to participate in the adjournment debate to bring to the information of the House a wonderful organisation called CityCare. We had the privilege this morning to welcome to the parliament of Queensland a long-term friend of mine, Tim Bean. We actually call him ‘Mr Bean’ and he does a fairly good Mr Bean impersonation. I have been mates with Tim since we were about 17. When I look at his life and the things that he has been able to accomplish, it is just amazing.
CityCare Brisbane does a magnificent job of caring for the marginalised and people who spend a lot of time sleeping rough. Trained CityCare Brisbane staff and volunteers interview people seeking assistance in a modern, private interview room situation. It has developed a triage model of care, assessing people’s needs within a holistic framework and referring them to additional support services. The thing that always impresses me with CityCare is its absolute compassion for people regardless of colour and creed. It seeks to give people a hand up more than just a handout.

One of the things that really struck the members who attended the breakfast this morning was that these people who were homeless and who had fallen on hard times were referred to as ‘guests’ by the staff of CityCare. That says a lot about the care that they give those clients. James, chapter 1, verse 27 says, ‘Pure and genuine religion in the sight of God the father means caring for orphans and widows in their distress and refusing to let the world corrupt you.’ I believe that CityCare does a simply magnificent job of fulfilling that criteria.

Its guests receive food parcels, accommodation referrals, assistance with baby needs, assistance with pharmaceutical requirements, travel vouchers within the Brisbane CBD, bill assistance and access to medical professionals. It has breakfast club programs running in high schools with Tim’s son David. It has a community lift day where it spruces the city up and does projects in the community.

Finally, I want to close by talking about Helping Hand Day, which combines with the Festival of Hope. For the eighth year running, CityCare Brisbane will bring a Helping Hand Day to the Valley. By garnering the support of generous businesses and individuals and coordinating an army of volunteers, it will give away an estimated $250,000 worth of food, clothing and bedding to around 800 individuals. CityCare is also looking at awarding a gold card for its clients who have fallen on hard times. I urge the state government to really get behind CityCare and make sure that it is funded appropriately. I also urge the federal government to do the same while it is giving away bickies at election time.

Bundamba Fire and Rescue Station

Mrs MILLER (Bundamba—ALP) (10.26 pm): Last Friday, 12 October I was a guest at the Bundamba Fire and Rescue Station, where I officially handed over a new pumper and presented national medals and clasps, diligent medals, and certificates of appreciation to our dedicated and hardworking firemen and women. Our Bundamba station services from North Booval to Collingwood Park and its area also includes Redbank Plains, Swanbank and Raceview. It is a very busy station and in the last 12 months it has attended some 691 calls, including 297 fires and explosions and 106 rescues, amongst other duties. I handed over the keys to a Mercedes Atego Type 3 pumper to the Bundamba station. It also has road accident rescue equipment valued at $490,000. Station officer Sean Toohill accepted the keys on behalf of the station.

Fire crews attend road accidents on the busy Ipswich Motorway and the Warrego and Cunningham highways. This work can be extremely traumatic to the fireies, ambos and our police. Our fireies are local heroes. They are dedicated and professional, and they are often seen at community events such as manning the kitchen fire display at fetes and the young people’s car accident prevention program that recently displayed at the Redbank Plains State High School. This is an award winning program devised locally in my electorate that is now delivered around the world.

To the firefighters and their families who received their awards, our community salutes you. We are proud of you. To the Queensland Times and Blue Star Towing, who received certificates of appreciation, we say thank you for supporting the Fire and Rescue Service. I seek leave to incorporate the names of the firefighters who received awards in Hansard.

Leave granted.

One National Medal, eight 1st Clasps to the National Medal and one 2nd Clasp to the National Medal will be presented on this day to both permanent and auxiliary firefighters:

Dale Winks, Senior Firefighter, Karana Downs Station, National Medal
Peter Yarrow, Station Officer, Bundamba Station, 1st Clasp
Mark Walker, Station Officer, Camira Station, 1st Clasp
Lance Mullins, Station Officer, Camira Station, 1st Clasp
Gary Hooper, Firefighter, Ipswich Station, 1st Clasp
Brad Dance, Lieutenant, Marburg Station, 1st Clasp
Russell Maudsley, Lieutenant, Boonah Station, 1st Clasp
David Perrem, Lieutenant, Boonah Station, 1st Clasp
David Kreigher, Station Officer, Karana Downs Station, 2nd Clasp
Ron Noe, Deceased Firefighter, 1st Clasp to be presented to Ron’s family

Eight Diligent and Ethical Service Medals will be presented on this day to both permanent and auxiliary firefighters:

Terry Smith, Station Officer, Bundamba Station, Diligent Medal
Thomas McManus, Senior Firefighter, Ipswich Station, Diligent Medal
Errol Hall, Firefighter, Camira Station, Diligent Medal
Adrian Wedrat, Captain, Esk Station, Diligent Medal
Bevan Dance, Captain, Marburg Station, Diligent Medal
Donald Coleman, Lieutenant, Laidley Station, Diligent Medal
Robert Lukritz, Captain, Laidley Station, Diligent Medal
David Kreigher, Station Officer, Karana Downs Station, Diligent Medal.
Macropod Harvesting Industry, Western Queensland

Mr JOHNSON (Gregory—NPA) (10.28 pm): I wish to bring to the attention of the House this evening the plight of the macropod harvesting industry of western Queensland. This is a truly professional industry that brings millions of dollars annually to the economies of western Queensland towns.

Last Tuesday, 9 October the wallaroo quota for 2007 was shut down, and this quota had only reached 80 per cent for harvested animals for 2007. This industry is the lifeblood of many families in western Queensland and while the red industry is still in progress I now call on the government to immediately look at this industry to see how fairness can be implemented, where full-time professionals can be given a quota to get them through the off-season and perhaps part-time harvesters can be given a smaller quota in the face of fairness.

The government must work with the harvesters for positive outcomes. Many of these professionals do not have another income earner and now with the sit-down these people are experiencing there are some inequities.

It is a considerable cost to set up their vehicles to meet the national and international standards for health and hygiene and safe human consumption. The tag purchase system must be managed in the interests of availability. We must not see the industry grind to a halt as we witnessed recently because of the unavailability of the required tags.

I call on the government to have tags manufactured in Australia rather than in New Zealand. This industry is a major wealth generator for western Queensland. I immediately call on the Queensland government to act in the interests of this very professional and responsible industry that is currently forgotten. They, too, have families and they, too, have repayments like everybody else.

The ill-informed need to be informed in the interests of saving a viable productive resource from ruin through mismanagement and ignorance. I call on the new minister for the environment to immediately take control of this agenda and work with this industry—and allow industry input and departmental input—to again make this the great viable industry that it should be. Let it work through the off-season so that we can sustain the lives and the families of the people in question.

Princess Party

Mrs REILLY (Mudgeeraba—ALP) (10.31 pm): Last night I realised that I am a princess. Last night I was a sponsor and a mentor, along with Olivia from Kings Christian College, for eight girls at the fourth Princess Party held this year at Legends Hotel at Surfers Paradise. The Princess Party is an initiative of Lifehouse Project Inc. It is a night of fun and friendship that allows teenage girls an opportunity to feel special. This event lets them know that someone has made an effort to make them feel valued. It is not just a party; it is an opportunity to invest in their lives and provide positive messages of what it means to be a healthy, positive woman.

This year's event included a number of afternoon workshops where the girls aged 14 to 17 heard from a range of strong women leaders and participated in activities which aimed to increase their self-esteem and self-worth. Workshops covered topics such as ‘Diamonds are forever—Learn to value your true beauty’, ‘Stand up and laugh loud—Gain confidence, learn to have fun and laugh’, and ‘Once upon a time—Wondering how to find a Prince Charming, learn how to spot a frog’.

The theme of the evening party was ‘Priceless’. The 180 girls from schools and youth projects throughout the Gold Coast region were made to feel priceless. They had free make-up and their hair done, were given a rose, an escort into the ballroom, gifts and prizes, a lovely two-course dinner, non-alcoholic sparkling wine, stories and a special gift. A priceless treasure was given to each girl, and each mentor—a purse size mirror; a little reminder that we are each priceless.

Lifehouse Project Inc. developed the Princess Party concept to help combat low self-esteem in young women and is the brainchild of the effervescent Ruth Knight. Low self-esteem can contribute to depression, self-harm, suicide, teenage pregnancy, disengagement from school and family, homelessness and unhealthy relationships. There are many reasons some young girls suffer from low self-esteem and each girl’s story is unique. They fall into the categories of relationship or family breakdown, abuse, neglect or trauma of some kind and a whole range of other factors.

Adolescence is hard enough without the pressures and often competing messages young girls are subject to. Developing resilience and self-esteem during this period is critical to ensuring adult mental health. Last night’s special guests included Channel 9 journalist Alison Fletcher and one of last year’s Australian Idols, No. 9, and youth worker, Mutto. He was the guest speaker and celebrity guest.

Events such as this would not be possible without sponsors. I cannot name every one here. I seek leave to incorporate the names of the corporate donors in Hansard.

Leave granted.

De Jour, Evolve Make-up, Flowerland, Happy House, Mila D’Opix, Princess Polly, Rexona Girl, StarShots, U Design, WECS and ZArk Consultancy for providing gifts, prizes and in-kind support.
Mrs REILLY: I also want to thank Ruth Knight, Kelly Shambrook and the organising team, all the mentors, the workshop facilitators, volunteers, Jade from the Gold Coast Hairdressing Academy, the youth workers, Kalwun Development Corporation, the waiters and musicians and Legends Hotel. Congratulations Lifehouse, you gave these girls a night they will never forget and I look forward to the next Princess Party.

Country Racing

Mr KNUTH (Charters Towers—NPA) (10.34 pm): I bring to the attention of the House the plight of country race meetings and the cancellation of the prestigious Moranbah North race meeting. It was cancelled by Queensland Racing for greed and profit for TAB meetings. While every race enthusiast acknowledges the cancellation of race meetings in the red zone due to equine influenza, Queensland Racing has cancelled all country race meetings, non-TAB meetings, and increased the number of TAB meetings in the green zone on the racing calendar all in the name of profit.

These decisions have devastated country race clubs. These clubs have not only been affected by EI and maintained all stringent requirements to ensure the disease is contained within the red zone but are being punished at the expense of TAB profit-making meetings. The Moranbah race clubs were advised yesterday to forget about their meeting as the TAB is more important.

Moranbah North’s November meeting attracts at least 1,600 people annually. It is not just for the dedicated punters but for the entire community. Fundraising assists local charities and sporting groups. It is a wonderful social day out that brings people together from all different walks of life and backgrounds.

What is shattering is that this meeting has been guillotined for a TAB meeting that is flat out drawing a crowd of 20 people. Queensland Racing needs an overhaul. It does not recognise or understand the importance of country race days to small communities. It has prioritised TAB meetings at the expense of non-TAB meetings and needs to be held accountable for its decisions. Country race clubs are continually kicked in the guts by the hierarchy at Queensland Racing. It is a disgrace to see the complete disregard of country race clubs by Queensland Racing.

The whole organisation is governed by the mighty dollar with little regard for the future of the industry. Trainers, jockeys and strappers are leaving the industry in droves in country Queensland because they recognise that there is no future for the industry while the current hierarchy remains in control of Queensland Racing. I urge the minister to intervene and allow country race clubs to host their race dates in November. Commonsense must prevail to ensure the future of this industry. Country race meetings are the feeder to TAB meetings. If they are neglected and forgotten this will be the death knell for racing in Queensland.

Gold Coast, Federal Election

Mr GRAY (Gaven—ALP) (10.36 pm): Electors in Gold Coast city have long been used to being taken for granted and treated in an arrogant way by the current Liberal-National government. With three apparently safe seats, the Liberal members for the area do not have a reputation for hard work. Even Liberals yet to be elected display a great confidence that they will effortlessly surf into Canberra.

This was never more evident than at the Paradise Point Progress Association meeting last Tuesday night, 9 October. At a meet-the-candidates meeting the Liberal candidate for Fadden, Stuart Robert, constantly said, ‘When I am the member for Fadden’, ‘When I take over from David Jull.’ Forgive me, has Mr Robert not got an election to win first? Have not the electors of Fadden a right to vote first? While the Labor candidate, Rana Watson, knows it will be a tough battle—a 15 per cent swing is needed—he is working hard and his campaign can feel encouraged by recent polls.

The Gold Coast Liberals are basing their campaign on blaming the state. The Liberal candidate for Fadden has joined the member for Surfers Paradise in a petition attacking the state government for not asphalting the M1 as demanded by the extremist RAIN organisation. This organisation is led by David Page, a man well known for his bullying and intimidating emails. He has a lot of courage behind a computer. I have evidence. There has been aggression towards Labor Party booth workers. I have witnesses of that. Combined with the RAIN Liberal candidate for Albert in 2004, it is not hard to work out where his party allegiances are.

Mr Page has failed to read or understand the Ombudsman’s report. Mr Page continues to claim that the concrete surface is dangerous despite the clear evidence in the report that it is safer than the asphalt sections. The report also showed clearly that resurfacing the concrete sections of the road was not feasible, as it would cause great traffic disruption, has substantial technical problems like reflective cracking and would not deliver a significant reduction in road noise over time.
It would unfortunately not fix the road noise. It is false hope. I am working with the minister for main roads to ensure that all recommendations of the Ombudsman’s report are implemented. I am ensuring that all eligible residents who live along the busy road are provided with a range of noise mitigation measures such as air conditioning, double glazing and noise barriers. I have visited homes where these measures have been installed and the outcome is wonderful.

It is a pity that the Liberal federal candidates do not focus their efforts on gaining a commitment to the provision of federal government services in the Pacific Pines-Oxenford-Helensvale growth corridor which lacks a Medicare office, a Family Assistance office and a department of social security and Centrelink office. It took the impending federal election to drag a federal undertaking to match the state’s commitment to the upgrade of the Pacific Highway south of Nerang. Every time Mr Page rages on about road noise in the Gold Coast Sun people in parts of Helensvale, Gaven, Oxenford, Studio Village and Pacific Pines who live near the road and desire to sell their homes for whatever reason have their values and opportunities for sale degraded.

Time expired.
Motion agreed to.
The House adjourned at 10.40 pm.

ATTENDANCE