Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 8 AUGUST 1989

QUEENSLAND

Parliamentary Debates

[HANSARD]

Legislative Assembly

THIRD SESSION OF THE FORTY-FIFTH PARLIAMENT

Appointed to meet

AT BRISBANE ON THE EIGHTH DAY OF AUGUST, IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II, IN THE YEAR OF OUR LORD 1989

TUESDAY, 8 AUGUST 1989

OPENING OF PARLIAMENT

Pursuant to the Proclamation by His Excellency the Governor, dated 27 July 1989, appointing Parliament to meet this day for the dispatch of business, the House met at 10 a.m. in the Legislative Assembly Chamber.

Mr SPEAKER (Hon. K. R. Lingard, Fassifern) read prayers and took the chair at 10 a.m.

The Clerk read the Proclamation.

COMMISSION TO OPEN PARLIAMENT

Mr SPEAKER: Honourable members, I have to inform the House that I have received from His Excellency the Governor a Commission appointing me and Mr E. C. Row, Chairman of Committees, or either of us, Commissioners to open this session of Parliament.

I now call on the Clerk to read the Commission.

The Clerk read the Commission.

Mr SPEAKER, as Senior Commissioner, said: Honourable members, we have it in command from His Excellency the Governor of Queensland to communicate to you that Parliament has been summoned to meet this day to consider legislation, the granting of Supply to Her Majesty and such other matters as may be brought before you; that the customary Speech will not be delivered at the Opening of this the Third Session of the Forty-fifth Parliament of Queensland and that, nevertheless, it is His Excellency's desire that you proceed forthwith to the consideration of the aforementioned business.

COMMISSION TO ADMINISTER OATH

Mr SPEAKER: I have to inform the House that His Excellency the Governor has been pleased to issue a Commission under the public seal of the State empowering me to administer the oath of affirmation of allegiance to such members as might hereafter present themselves to be sworn.

I now ask the Clerk to read the Commission to the House.

The Clerk read the Commission.

PARLIAMENTARY JUDGES COMMISSION OF INQUIRY

Second Report

Mr SPEAKER: I wish to advise the House that the following report was ordered to be printed and circulated during the recess in accordance with section 29A of the Acts Interpretation Act 1954-1989. I now lay upon the table of the House a copy of the second report of the Parliamentary Judges Commission of Inquiry and accompanying documents concerning His Honour Judge Eric Charles Ernest Pratt.

Honourable members, there are three boxes of accompanying documents; these may be inspected by contacting the Bills and Papers officer in the table office.

Whereupon the documents were laid on the table.

PAPER CIRCULATED DURING RECESS

Mr SPEAKER: I have to report that the following paper was circulated during the recess—

Annual Report of the Prince Charles Hospital Foundation for the year ended 30 June 1988.

ELECTORAL DISTRICT OF ISIS

Resignation of Member

Mr SPEAKER: I have to inform the House that I have received the following letter from Lionel William Powell, the member for the electoral district of Isis—

"Dear Mr. Lingard,

Following considerable thought in the matter I have decided to resign from the Parliament.

I would be grateful if you could effect my resignation as from midnight tonight."

The letter is dated 31 July 1989.

Seat Declared Vacant

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (10.09 a.m.), by leave, without notice: I move—

> "That the seat in this House for the electoral district of Isis hath become and is now vacant by reason of the resignation of the said Lionel William Powell."

Mr GOSS (Logan—Leader of the Opposition) (10.10 a.m.): I rise in response to the motion in order to put the argument that the Opposition opposes any course of action that leaves the people of Isis without a local member, or a voice in Parliament, for from anywhere between six and 12 months. I move the following amendment, which adds to the Premier's motion the words—

> "and that the Speaker discharge his duty under section 10 of the Legislative Assembly Act and cause a writ to be issued for supplying such vacancy, and that the by-election be held on or before October 14, 1989."

In speaking to the amendment, I wish to make some very important points. The Premier claims that he will be pursuing an initiative that will result in the Government's remaining in power until as late as July 1990. That is clearly the action of a Government that is running scared. To refuse the people of Isis both a local member and a voice in this Parliament shows contempt for the fundamental principles of parliamentary democracy. It shows that the Premier is not only running scared but also is putting political considerations before parliamentary democracy.

The member for Mackay, Mr Casey, will second this amendment and make some further points, but I want to make two more points. The first is that the fundamental principle of parliamentary democracy is that people be represented. That principle is being thrown aside by this Premier, who is running scared. In doing so he is putting the position of the National Party ahead of the interests of the people of Isis. That fairly and squarely raises the question of the truth of the course of action that the National Party is proposing in relation to this shonky referendum.

Government members interjected.

Mr GOSS: The sooner Government members calm down, the sooner the debate will be over and done with.

I suspect that the Premier's actions reveal the truth about this shonky referendum proposal, namely, that he well knows that the people of Isis will go to the polls in a general election some four to five weeks after the 14 October referendum and that that is why he could not be bothered to give them the opportunity to have a representative in Parliament. In other words, the Premier knows that his referendum proposal is doomed to fail, and he knew that it was always doomed to fail, yet the National Party is prepared to spend $5m to $10m of public money on a wasted exercise. It is a cynical piece of opportunism designed to erect the false pretence that the National Party is genuinely concerned about electoral reform.

Members of the National Party had a serious problem, that is, that the people of this State, including traditional conservative voters, have walked away from them—have deserted them in droves—over the issue of electoral corruption. That is why they came up with this so-called master stroke—the no-lose proposition—of the referendum. They are now realising that it is the no-win proposition.

The response to what has happened with the Isis electorate shows the cynicism and the dishonesty behind this Government's referendum proposal. The Opposition calls on the Government and, by this amendment, calls on this Parliament for the Speaker to exercise his responsibility under section 10 of the Legislative Assembly Act, which states—

> "Speaker to cause issue of writs to fill vacancies. When and so often as a vacancy shall occur in the Assembly upon a resolution by the Assembly declaring such vacancy and the causes thereof the Speaker shall"—

I emphasise the word "shall"—

> "cause a writ to be issued for supplying such vacancy."

Mr SPEAKER: Order! Honourable members, I will accept interjections, but I will not accept side talk. The Chamber will come to order.

Mr GOSS: The Opposition believes that the people of Isis should have a local member and a voice in this Parliament.

Mr CASEY (Mackay) (10.14 a.m.): It is my pleasure to second the amendment moved by the Leader of the Opposition. A few weeks ago in the debate on the election of Mr Speaker, we heard some of the Government members who have been interjecting this morning speak into the early hours of the morning on the independence of the Speaker and the independent manner of the actions of the Speaker. Section 10 of the Legislative Assembly Act gives you, Mr Speaker, that role in clear terms of carrying out your function should a vacancy occur by way of resignation of a member from this House. This morning, such a vacancy has occurred. Clearly, the motion moved by the Premier seeks to declare and leave the seat vacant. The Opposition believes that the seat should not be left vacant. It should be filled as quickly as possible so that the people of Isis can have representation in this Parliament.

From the wording of the Premier's motion, one would think that he has already conceded the defeat of the referendum proposal that we read of in the newspapers and which has caused members of Parliament to be brought back to this House.

It is up to Government back-bench members and even Cabinet Ministers who have any real conscience to carry out their role and their duties in accordance with the Legislative Assembly Act, which gives them that right and authority. This morning, they are being given the opportunity to verify that right and authority and to back you, Mr Speaker, in the role that you may have to fulfil—an independent role. The amendment before the House provides an opportunity for the independence of the Speaker to be shown. It is a simple amendment, as clearly stated by the Leader of the Opposition, and relates to section 10 of the Legislative Assembly Act.

The Labor Party calls on all members of the House to support the proposal that you, Mr Speaker, carry out your role as Speaker of this Parliament in accordance with its Acts.

Mr INNES (Sherwood—Leader of the Liberal Party) (10.17 a.m.): Upon the resignation of the former Speaker, the member for Isis, the Liberal Party stated that the people of Isis were entitled to representation. It is hypocritical for a Government, when proceeding to a revolutionary referendum, of a type never before held in this State, to seek six months' extra power, to be proposing that a State seat stand vacant for a period which could be almost an entire year.

Members of the Liberal Party know that some Government members have an attitude of contempt on the issue of personal representation. The British Parliament has a notional seat for the Speaker called the Chiltern Hundreds. We know that the member for Greenslopes has a notional seat called the "Queensland tax-payers' thousands", which is somewhere in Europe.

Mrs HARVEY: I rise to a point of order.

Mr SPEAKER: Order! The member for Sherwood will withdraw that comment.

Mr INNES: I withdraw.

The reality is that representation is important. However, the Labor Party is involved in its own exercise in hypocrisy. In the dying days of the Labor Government in 1956 and 1957, the Labor Party left the seat of Ithaca vacant for six months. Liberal members believe that the people of Isis are entitled to personal representation. It is unusual to have a party that claims that we must have a special zonal electoral system to provide that level of personal representation, yet, as soon as a by-election comes up for a large and substantial sugar seat, that party states that it can be adequately supervised by the National Party member in an adjoining seat. The standards always change.

When Mr Powell resigned, the Liberal Party said that the people of Isis should be represented. It maintains that stance. Because it believes that a by-election should be held, it supports the amendment. The Liberal Party looks forward to every opportunity to increase its numbers, because the seat of Isis will not be won by Labor and it will not be retained by the National Party.

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (10.20 a.m.): I rise to oppose the amendment moved by the Leader of the Opposition and supported by the Leader of the Liberal Party. In this place, we are becoming accustomed to conspiracies between the Labor and Liberal Parties and the former member for Isis. One occurred recently in this Parliament. It has obviously happened again in that there was a conspiracy to attempt to embarrass the Government by a premature resignation. That was the talk around the House at the time.

I ask the Labor and Liberal Parties to deny knowledge that this resignation was to take place in an endeavour to embarrass the National Party Government. That is what the resignation of the member for Isis has been about. The Labor Party has been exposed previously on Channel 9 television and been embarrassed about the matter. However, it is at it again.

All over Australia, many precedents exist—some of which have been mentioned today—of by-elections not having been called in the vicinity of a general election. In the circumstances, that precedent ought to be followed. Therefore, the response by the Leader of the Opposition and the Leader of the Liberal Party is pure party politics in an endeavour to embarrass the Government. The Government will not allow them to do that.

Question—That the words proposed to be added be so added—put; and the House divided—

AYES, 39	
Ardill	Prest
Beanland	Santoro
Beard	Schuntner
Braddy	Scott
Burns	Sherlock
Campbell	Smith
Casey	Smyth
Comben	Vaughan
D'Arcy	Warburton
De Lacy	Warner
Eaton	Wells
Gibbs, R. J.	White
Goss	Yewdale
Hamill	
Hayward	
Innes	
Knox	
Lee	
Lickiss	
McElligott	
Mackenroth	
McLean	*Tellers:*
Milliner	Davis
Palaszczuk	Gygar

NOES, 46	
Ahern	Katter
Alison	Lester
Austin	Littleproud
Berghofer	McCauley
Booth	McKechnie
Borbidge	McPhie
Burreket	Menzel
Chapman	Muntz
Clauson	Neal
Cooper	Nelson
Elliott	Newton
Fraser	Perrett
Gamin	Randell
Gately	Row
Gibbs, I. J.	Sherrin
Gilmore	Simpson
Glasson	Slack
Gunn	Stoneman
Harper	Tenni
Harvey	Veivers
Henderson	
Hinton	*Tellers:*
Hobbs	FitzGerald
Hynd	Stephan

Resolved in the negative.

Motion agreed to.

FILMING OF PROCEEDINGS

Mr SPEAKER: Order! I advise the House that approval has been given to update television library footage on Wednesday, 9 August, at 2.30 p.m. Filming, without sound recording, will be allowed at 2.30 p.m. tomorrow.

SITTING DAYS

Sessional Order

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (10.30 a.m.), by leave, without notice: I move—

"That for this session, unless otherwise ordered, and notwithstanding anything contained in the Standing Orders—

(1) The House shall sit on Tuesday at 10 o'clock a.m., Wednesday at 2.30 o'clock p.m. and Thursday at 10 o'clock a.m., and Government business shall take precedence of all other business except for that period set aside for a discussion of Matters of Public Interest on Tuesday.

(2) A discussion of Matters of Public Interest shall take place on each sitting Tuesday between 11 o'clock a.m. and 12 noon.

(3) All other provisions of the Standing Orders shall, mutatis mutandis, continue to apply."

Motion agreed to.

TIME LIMIT OF SPEECHES

Sessional Order

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (10.31 a.m.), by leave, without notice: I move—

"That for this session, unless otherwise ordered, the following amendments to the times for certain speeches shall apply—

Under Standing Order No.109

(1) Paragraph one—substitute 'thirty minutes' for 'forty minutes' in line one and omit all words following the word 'House' in line two to the end of the paragraph.

(2) Paragraph three—omit the word 'thirty' and substitute the word 'fifteen'.

(3) Paragraph seven—omit the words 'one hour' in the third line and substitute the words 'thirty minutes'."

Motion agreed to.

RESUMPTION OF DEBATE ON BILLS BROUGHT OVER FROM PREVIOUS SESSION

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (10.32 a.m.), by leave, without notice: I move—

"That, pursuant to Standing Order No. 276, the following Bills, which were presented in the second session of this Parliament, be resumed in this, the third session at the stage reached in the previous session and thereafter be proceeded with as if no prorogation had taken place—

Constitution (Office of Governor) Act Amendment Bill; Resumption of second-reading debate (5 April 1989, Mr McElligott).

Trustee Companies Act and Another Act Amendment Bill; Resumption of second-reading debate (13 April 1989, Mr Wells).

Local Government Act Amendment Bill; Resumption of second-reading debate (13 April 1989, Mr Goss).

Legal Aid Act Amendment Bill; Resumption of second-reading debate (13 April 1989, Mr Wells).

Food Act Amendment Bill; Resumption of second-reading debate (15 March 1989, Mr Prest).

State Transport (People-movers) Bill; Resumption of second-reading debate (12 April 1989, Mr Prest).

Traffic Act Amendment Bill; Resumption of second-reading debate (12 April 1989, Mr Prest).

Vagrants, Gaming, and Other Offences Act Amendment Bill; Resumption of second-reading debate (12 April 1989, Mr Prest).

Law Reform (Husband and Wife) Act Amendment Bill; Resumption of second-reading debate (12 April 1989, Mr Wells).

Law Courts and State Buildings Protective Security Act Amendment Bill; Resumption of second-reading debate (16 March 1989, Mr Davis).

Fair Trading Bill; Resumption of second-reading debate (19 April 1989, Mr Hamill)."

Motion agreed to.

PAPERS

The following papers were laid on the table—

Orders in Council under—

Health Act 1937-1988

Electricity Act 1976-1988

Brisbane and Area Water Board Act 1979-1989 and the Statutory Bodies Financial Arrangements Act 1982-1988

City of Brisbane (Flood Mitigation Works Approval) Act 1952-1988

Irrigation Act 1922-1986

Public Works Committee Act 1989

River Improvement Trust Act 1940-1985 and the Statutory Bodies Financial Arrangements Act 1982-1988

River Improvement Trust Act 1940-1985

Water Act 1926-1987 and the Statutory Bodies Financial Arrangements Act 1982-1988

Water Act 1926-1987

Water Resources Administration Act 1978-1989

Regulations under—

Health Act 1937-1988

Hospitals Act 1936-1988

Mental Health Services Act 1974-1989

Electricity Act 1976-1988

Electricity Authorities Industrial Causes Act 1985-1988

Electricity (Continuity of Supply) Act 1985-1988

Gladstone Area Water Board Act 1984-1988

Irrigation Act 1922-1986

River Improvement Trust Act 1940-1985

Sewerage and Water Supply Act 1949-1988

Water Act 1926-1987

Hawkers Act 1984-1985

Pawnbrokers Act 1984-1985

Firearms and Offensive Weapons Act 1979-1986

Second-hand Dealers and Collectors Act 1984-1985

Fire Brigade Charges Refund Act 1977

Fire Brigades Act 1964-1988

By-laws under the Dental Act 1971-1987.

EXTRADITION OF ABORIGINES FROM NEW SOUTH WALES TO QUEENSLAND; COMMENTS BY MEMBER FOR MURRUMBA ON QUEENSLAND'S JUDICIAL SYSTEM

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (10.36 a.m.), by leave, without notice: I move—

> "That this Parliament condemns the parliamentary Labor Party, and in particular the member for Murrumba, for casting a racist slur on the judicial system of this State by supporting the proposition that Aborigines allegedly involved in a serious riot in Goondiwindi in 1987 should not be extradited from New South Wales to face charges because it is claimed that they cannot get a fair trial in Queensland."

I move that motion because it underlines one of the most fundamental issues in Queensland today—our faith in the judiciary. The subject-matter also underlines an unfortunate fact of life in this Parliament, that is, the despicable slur cast on the Queensland judiciary by the man who would be the Attorney-General—the member for Murrumba.

To give honourable members a background on this issue, I summarise the facts.

Ms Warner: You're frightened of question-time.

Mr AHERN: Talking about question-time—it was a member of the Labor Party who earlier moved a motion which will delay question-time.

On Wednesday, 3 July, Mr Justice Smart of the New South Wales Supreme Court refused the extradition to Queensland of 16 Aborigines charged over a Goondiwindi riot in July 1987. Smart's reasoning was that the Aborigines would probably not receive a fair trial and, if convicted, would probably be imprisoned in intolerable conditions. Smart's decision was an insult to Queensland jurors as well as to Queensland judges. This decision, if not appealed against, would mean that Aborigines would be above the law. They could commit mayhem in Queensland and then take sanctuary in New South Wales without fear of extradition.

The first to jump to applaud the New South Wales judge's decision and to decry the Queensland Government's defence of its penal and judicial systems were the ALP member for Murrumba, the president of the Queensland Council for Civil Liberties, and the Labor candidate for Yeronga, who just so happens to be the former president of the Queensland Council for Civil Liberties and who is currently the president of the Labor Lawyers Association. They sided with the alleged rioters.

For two and a half years the Queensland Government has been trying to get the rioters extradited. The Goondiwindi Mayor is outraged. He said that there was a southern bias against Queensland. The fellow-travellers of Wells, Keim and Foley accused the Attorney of bringing the judicial system into disrespect by not supporting the judge's decision. They are anti-Queensland. The decision has created an unhealthy precedent for other extradition attempts where other Aborigines or whites are involved.

The member for Murrumba said that no provision was made for alternative places for them to be tried. That is poppycock. He is throwing up smoke-screens to cover his own racist attitudes.

The decision was a 63-page judgment. It now stands in legal history as an impediment to a person's being extradited to face trial in this State. It stands as a precedent and, in future, could be given a wide interpretation to stop gaol escapees from being extradited.

Mr Don Davidson, President of the Aboriginal Legal Service, was infuriated by the New South Wales judgment. Davidson was infuriated by the judge's comment that the defendants would probably be imprisoned in intolerable conditions. Mr Davidson said, "As far as I'm concerned, the judge doesn't know what he's talking about." Davidson said that he had spent six months working with Jim Kennedy's commission to improve conditions for Aboriginal prisoners. Davidson said that Queensland had excellent penal conditions for Aborigines. He said that it is the only State that does. It is a shame that Mr Wells did not say something constructive. Indeed, he tried to make headlines for himself.

On 4 August in the *Australian*, Mr Wells was reported as backing Judge Smart's decision and urging the Attorney-General "not to waste tax-payers' money on a High Court appeal". On 7 August during a radio interview, when asked if he was surprised by the statements of the New South Wales judge in that 63-page judgment, Mr Wells replied, "Not after I'd read it." He went further and admitted that the judgment stands as a precedent.

There we are, Mr Speaker. That jumped-up lawyer who purports to represent Murrumba but who spends little time on the real issues of his electorate has set himself up as judge and jury over the judicial system of Queensland. Constantly he is urged along by his mates from the Labor lawyers' camp who are littered through the legal system of this State and who never hesitate to shove their political views down everyone's throat while using their positions in various justice-related organisations as a cover for the Australian Labor Party. In the case of people such as Keim and Foley we expect very little else; but, from a person who represents the Justice portfolio in the shadow Cabinet, it is a disgrace.

By his unequivocal backing of the New South Wales court decision, the member for Murrumba has shown that he has no faith in the Queensland judicial system. He has no faith in our judges, our juries and our magistrates and he is willing to go on record to that effect. The member for Murrumba has indicated clearly that, in common with most of his colleagues, he believes that this nation should have some form of apartheid. His Labor colleagues in New South Wales allowed the Sydney suburb of Redfern to develop into Australia's worst black ghetto. Judging by recent television coverage of the area, it is not a safe place for a white person to be seen in—let alone live in—by day or by night. On a national scale, Mr Wells' Labor colleagues want to divide Australia into white and black territories and have treaties. It is too bad about the business people and residents of places such as Goondiwindi; they can have their places smashed up and then see the alleged offenders thumb their noses at them from across the State border.

On the week-end I stated that the State Government will "pursue every legal avenue" to ensure the extradition of alleged vandals to Queensland. Today I repeat that commitment. I stated also that the fact that the charges involve Aborigines is irrelevant. If a group of people of any race, creed or colour allegedly embarks on a rampage in any Queensland town and then runs interstate, we will demand the extradition of those people to face our courts and our judges. Any break-down in the accepted policy of extradition between New South Wales and Queensland would return Australia to the days of the bush-rangers. The border with New South Wales must not be allowed to become a bolt-hole for law-breakers.

This issue has exposed the truth of Labor policies on Aborigines and our judicial system. It has exposed the Labor Party's willingness to bucket our judges, magistrates and juries in favour of a gang of hoodlums. It has exposed its desire to make political capital out of anything and anybody by supporting a concept which would put in serious jeopardy our process of extradition.

All of this amounts to a racially biased attack by the Labor Party on our judicial system and deserves the full condemnation and censure of this House. I commend this motion to the House.

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General and Minister for Corrective Services) (10.45 a.m.): In rising to second the Premier's motion, I do so with the deepest regret. Since the unfortunate events which occurred in Goondiwindi on 10 January 1987, a number of activities have taken place in the courts of New South Wales which have directly resulted from complaints being laid by a Queensland police officer against 15 plaintiffs in relation to alleged offences under section 61 of the Queensland Criminal Code.

Extradition was sought in accordance with the normal procedures and the plaintiffs have challenged such extradition at every opportunity. I might add that warrants were issued on 30 January 1987 and that it is now two and a half years since the process was commenced.

The final step that has now been reached is that on 2 August 1989 His Honour Mr Justice Smart, sitting in the Common Law Division of the Supreme Court of New South Wales, ruled that it would be unjust and oppressive to return the plaintiffs to Queensland, and they were subsequently discharged.

Mr Justice Smart's judgment runs to 63 pages and is very comprehensive, dealing with three particular matters. Firstly, he dealt with the representation of Aborigines on juries, and 28 pages of the judgment are dedicated to this aspect. In the end result, Mr Justice Smart ruled that the lack of Aborigines on jury panels and juries in Brisbane and south-east Queensland plays no part in the determination of this case. The next issue considered in the judgment relates to conditions in Queensland watchhouses and gaols. The aspects of media coverage and ministerial statements were also considered.

In the end result, in ruling against extradition, Mr Justice Smart has created grave uncertainty as to the territorial integrity of this State and every other State within our Commonwealth. After all, we do live in a federation of States—or we have all been led to believe that we do. Section 118 of the Australian Constitution embodies in our system a principle of co-operative federalism, which in fact was the basis of the Queensland submission in this case.

The following were also points which were made before Mr Justice Smart—

- New South Wales and Queensland are sister States within the Australian Federation, and not foreign countries vis-a-vis each other.
- The purpose of the full faith and credit clause was and is to help forge a Federal nation out of individual sovereign States. If Australia is to (be) more than a loose alliance of independent sovereignties, if it is to be a nation, then the individual States must act as parts of a nation, co-operating with each other.
- This means that New South Wales courts ought not unreasonably and without proper evidence subject the institutions of the criminal justice system in Queensland to the gauntlet of excessively close and suspicious scrutiny.
- The need for effective and prompt enforcement of Queensland warrants must be given due weight.

It may be noted that in his judgment Mr Justice Smart made a number of observations on Queensland prisons and watchhouses. He also stated that no evidence was led by Queensland contradicting evidence given by a number of witnesses as to prison circumstances. I am informed by the Acting Solicitor-General that a conscious decision was taken, such decision being supported by the Queensland Director of Prosecutions, that this aspect of the evidence was of no concern in the hearing. Accordingly, no evidence was led.

In order to set the record abundantly clear in respect of this matter, I wish to inform the House of the many initiatives which we are taking in relation to Aborigines

and Islanders in Queensland correctional institutions. The Kennedy commission of review into corrective services was a thorough and far-reaching blueprint for change in corrections in this State. Its final report was handed down in September 1988. The Government accepted all of the recommendations contained in that report. Many of the recommendations referred to Aboriginal and Islander offenders and were the result of consultation with Aboriginal and Islander communities and agencies.

I would now like to outline just what has been achieved in this area by the Queensland Corrective Services Commission in the nine months since its establishment on 15 December 1988. The achievements are—

- Aboriginal and Islander people are represented on the board of the Corrective Services Commission.
- Aboriginal and Islander people are represented on community corrections boards, which replaced the Parole Board.
- Aboriginal and Islander people are amongst those appointed as official visitors to correctional centres.
- Two senior positions in the commission are occupied by people who have responsibility for recruitment of Aboriginal and Islander staff and developing community involvement in offender programs.
- The commission has adopted a policy to achieve a 10 per cent Aboriginal and Islander staffing complement within three years.
- The commission has made a formal commitment to allow Aboriginal and Islander inmates to maintain their cultural groups within correctional centre accommodation.
- Brisbane Correctional Centre has an education and cultural heritage program established by Aboriginal and Islander inmates.
- The Brisbane council of elders visits Brisbane Correctional Centre and the commission has actively sought to provide access to other community groups interested in providing service to Aboriginal and Islander offenders.
- Other correctional centres are actively involving training authorities in the development of programs for these inmates.
- Training programs for correctional staff in Aboriginal and Islander issues has commenced and will be expanded this year.

I can confidently say that consultation between the commission and Aboriginal and Islander community groups has achieved much in the past nine months. There is a long way to go in this area, but the achievements made in such a short time would certainly be unparalleled in any other correctional jurisdiction.

I have obtained an opinion from the Acting Solicitor-General in relation to this matter and I am advised that appeals do lie to the New South Wales Court of Appeal and also to the High Court. I have yet to discuss that opinion with the Acting Solicitor-General and the Director of Prosecutions before deciding which course of action will be followed. However, the bottom line is that because of Mr Justice Smart's views in relation to comments with regard to watchhouses and gaols in Queensland, he has refused to allow the law to take its full course in this State. A most dangerous precedent has been set by this decision. I have already indicated that publicly over some period. The suggestion that it is impossible for a person to obtain a fair trial because of media reports in relation to an incident carries with it the clear and unmistakable implication that the system of justice in Queensland, which is presided over by the Queensland judiciary, is incapable of dealing with this type of instance.

In my respectful opinion, this is clearly not the case, as undoubtedly the Queensland judiciary and potential Queensland jurors are quite capable of administering and acting within the judicial system in this State in a fair and unbiased fashion. I am sure that Queensland jurors and the Queensland judiciary would make sure that any decision that

was made or any trial undertaken would be conducted in a fair and unbiased fashion, no matter who the defendant might be.

Our criminal trial system is an adversary system, as the Opposition would well know. In those circumstances, the checks and safeguards that accommodate such a system would come into play, as undoubtedly the Opposition would also know. Defence counsel is under a duty to present forceful argument in relation to a client's case to the jury and undermine the Crown case, to test the Crown case wherever possible; likewise the Opposition Leader and Opposition spokesman may present arguments in this Chamber against this motion, but they will not be and cannot be forceful because there is no weight to their arguments in relation to this issue. The people of Queensland will clearly see that and will also clearly see the Opposition Leader and Opposition Justice spokesman making political points in an attempt to make political ground in relation to this important issue, which affects all Queenslanders.

It is appalling that the Leader of the Opposition is not prepared in this House to support the judicial system in this State and thereby support the Queensland judiciary in their ability to conduct fair and unbiased trials of any person in this State who is placed upon trial for criminal charges. It is an indictment on the Leader of the Opposition's support for his Justice spokesman, who is attempting at all costs to undermine the judiciary in this State, every Queenslander who is a potential juror, and the system of correctional service that has been implemented by this Government in this State over nine months, taking into account the race factor of Aboriginal and Torres Strait Islander people, which is not insignificant. That is what this Government has done. Statements by the Opposition to the media and the Opposition Leader's support for his spokesman have undermined, and are continuing to undermine, the course of justice in this State. It is a travesty. Members of the Opposition have placed the judiciary in this State in calumny and they deserve to be condemned.

Mr GOSS (Logan—Leader of the Opposition) (10.56 a.m.): On behalf of the Opposition, I reject as desperate and false this ploy by the Premier. I move the following amendment—

> "Delete all words after 'condemns' and substitute—
>
> 'the Premier for wasting question-time to divert attention from serious allegations of corruption and cronyism against his Government and himself personally'."

I wish to rebut this dishonest motion on two bases but, firstly, I place on record the support of the Opposition for and the confidence of the Opposition in the judicial system of Queensland to conduct trials fairly and to administer the criminal justice system in an honest and impartial way.

Mr Ahern interjected.

Mr GOSS: My colleague the member for Murrumba will deal with the Premier, Mr Katter and Mr McKechnie, who are condemned by that judgment. They are the true villains for showing contempt of the process.

What we see here is a Premier who is desperate. He is beleaguered by allegations of corruption and cronyism. He is the first Premier in the history of this State to be subjected to a criminal investigation by a Special Prosecutor for possible allegations of misuse of ministerial expenses and cash advances.

Opposition members interjected.

Mr GOSS: The first Premier in this State!

Mr AHERN: I rise to a point of order.

Mr SPEAKER: Order! The House will come to order.

Mr AHERN: The allegation made by the honourable member—that I have been questioned by the Special Prosecutor in the terms that he has suggested—is offensive and untrue. I ask that it be withdrawn.

Mr SPEAKER: Order! The Premier finds those words offensive. I ask that they be withdrawn.

Mr GOSS: I withdraw absolutely any reference to the question or suggestion that the Premier has been questioned by the Special Prosecutor. We are aware, however—as you well know, Mr Speaker—that the Special Prosecutor has called for——

Honourable members interjected.

Mr AHERN: I asked for a withdrawal.

Honourable members interjected.

Mr SPEAKER: Order! I call the Premier.

Mr AHERN: Mr Speaker, I request, as is my right under Standing Orders, an unreserved withdrawal.

Mr SPEAKER: The Leader of the Opposition will withdraw the words.

Mr GOSS: I unreservedly withdraw the words that I said in relation to the Premier's being questioned. He is not being questioned. I accept that.

Mr SPEAKER: Order! For the second time, I order the Leader of the Opposition to withdraw the words.

Mr GOSS: I withdraw the words.

Mr Speaker, we all saw in the paper a couple of weeks ago that the Special Prosecutor had called for the records of all members of the Cabinet for the last 10 years to decide whether or not offences had been committed and, in the words of the Special Prosecutor, to see if public funds had been used for private purposes, which he said would constitute a criminal offence. He said that each and every one of them who had committed that offence would be subject to a criminal charge and be imprisoned with hard labour for misusing public funds. It is unprecedented in the history of this country that this Cabinet or any other Cabinet could be the subject of a criminal investigation. I do not say for one minute that the Premier will be charged. It would be wrong for me to say that he will be charged; that is up to Mr Drummond.

Mr SPEAKER: Order! It is time for the Matters of Public Interest debate to commence and this debate will now be adjourned.

Debate, on motion of Mr Austin, adjourned.

MATTERS OF PUBLIC INTEREST

Investigation into Allegations of Corruption against Cabinet Ministers

Mr GOSS (Logan—Leader of the Opposition) (11.01 a.m.): It is very convenient that I happen to have the next 10 minutes to conclude my comments and remind the public that Queensland has a Cabinet of Ministers who are the subject of an investigation, and they cannot deny that fact. All of their records have been called for and the Special Prosecutor will investigate all of those records—except, of course, for those records that were shredded the Sunday before.

Mrs NELSON: I rise to a point of order. The honourable Leader of the Opposition is attempting to pre-empt the debate that is due to take place tomorrow, and I ask him to refer his speech to a matter of public interest.

Mr SPEAKER: Order! The House will come to order. There is no point of order.

Mr GOSS: This underlines how desperate the back-bench members are because they can see their seats slipping away from them under this embattled, beleaguered and corruption-tainted Government. There are daily, weekly and monthly revelations and exposures of corruption and cronyism that are unprecedented in this country, and this has dragged Queensland down.

The essential point I wish to make concerning this desperate diversion on the part of the Premier is that this State is suffering from two things: firstly, the weakness and indecision of this Government, which has degenerated into a kind of paralysis that is dragging the economy down and preventing new economic growth in this State; and, secondly, the corruption and cronyism that destroys business and community confidence in the future of this State.

Today in this Matters of Public Interest debate I and my colleagues the members for Ipswich and Bundaberg will deal with more specific issues relating to the corruption and cronyism that continues—not from the Bjelke-Petersen era—but under the Ahern administration. The so-called vision of excellence has turned, as one commentator said, into a vision of squalor. The State of opportunity has degenerated into the State of collapse and the State of corruption and cronyism. Amidst the squalor this Premier is desperately trying to bash the blacks in order to divert attention away from the investigation into himself and his colleagues and from all the other revelations that occur almost daily in the newspapers.

No State, no business and no institution can be properly governed in the interests of its constituents, share-holders or members when a Government is in a permanent state of crisis management. This is what the community, and in particular the business community, is suffering from and complaining about. A year ago the community said that it took months and months to get a decision out of this Government and that everything was bogged down with a committee. Now the community cannot even get an appointment or a decision, because Queensland has a Premier and a group of Ministers who are in a permanent state of crisis management and are trying to get themselves out of the latest Fitzgerald or corruption crisis.

This is causing great suffering to the Queensland economy and essential services. The key indicators of business investment, that is, the latest ABS figures up to the March quarter, show a drop in business and property investment in Queensland of 1 per cent, whereas New South Wales and Victoria experienced increases in business and property investment of the order of 33 per cent and 17 per cent respectively. Those States are going ahead and experiencing growth; Queensland is going backwards.

Mr Ahern interjected.

Mr GOSS: They are from the ABS.

This Premier dishonestly uses public funds to put himself on television in Queensland appealing to external investors to invest in Queensland. The public has seen through it. Because of the stagnation in the Queensland economy there has been a resultant loss of Government services, particularly in the areas of health, education and police, because the revenue is not there. The attention of the policy-makers and the administrators is not there, because they are dealing with their corruption problems and the investigation to which they must respond. Today the papers show the appalling state of affairs where Queensland's overcrowded hospital system is using pain levels to decide which patients are in line for the next available surgery.

I turn now to what ought to be this Government's first priority—economic growth, jobs and a level of services to go with it. Instead, the Ahern Government is incapable of action when it comes to the major economic issues. This is a weak and indecisive Government that has degenerated into a state of paralysis. I will nominate four symbols of National Party paralysis—the four horsemen of the National Party apocalypse that will occur at the end of this year: firstly, Quality Queensland; secondly, a State bank; thirdly, the Expo site redevelopment bungle; and fourthly, the foreign investment guidelines. They are four key symbols of the paralysis of this Premier and this Government

that have caused the business community and the general community to desert this National Party Government in droves.

To begin with, I will look at the implementation of Quality Queensland. The Government paid half a million dollars of public money to get some Californian whiz-kids to draw up a strategy which was flawed in its assessment of this State's primary resources sector. This has now been junked by the Government.

I ask the House to remember when the Premier said he intended to make an important decision each week. Can anyone imagine Joh Bjelke-Petersen having to actually announce that he was going to make a decision? In all the weeks that have passed since the announcement of Quality Queensland, can the House remember the grand projects—or the bungles, the corruption and the cronyism? I know what I can remember and I know what the people of this State can remember. The State heard about the theory of Quality Queensland. Lots of theory is heard from the Government side of the House, but we never see the practice or the performance.

Another symbol was the introduction of a State bank. When the Opposition suggested it last year, the Government rubbished the idea. But it then decided it was a good idea and it actually found that the State bank is part of National Party policy. So the Government said, "We had better have one." Of course, it did not have a clue on how to do the job itself, so it paid $300,000 to a private consultant to find out how to do it. Months later we have not seen the report or any action on the report. It was just another symbol.

What happened about the Expo redevelopment? The answer is that this Government allowed the tendering process to be corrupted. When it was exposed, after four months of pressure, this Premier backed down and cancelled the proposal by the River City 2000 consortium. He had been caught out getting instructions from the bunker to jump the evaluation process by two weeks and give the job to Sir Frank Moore. The Premier was caught out.

Mr AHERN: I rise to a point of order. The honourable member is misleading the House in suggesting that I have taken instructions from the bunker in respect of the post-Expo redevelopment. I deny that. This morning we have had nothing but a litany of lies; that is another one. I ask that it be withdrawn.

Mr SPEAKER: Order! The Leader of the Opposition will withdraw the comment.

Mr GOSS: If the Premier is saying he does not take his orders from Sir Robert Sparkes, I accept that, and withdraw.

Mr SPEAKER: Order! I ask the Leader of the Opposition to state that he withdraws the comment.

Mr GOSS: I withdraw the comment. In doing so I simply say that I accept the statement by the Premier that he does not take his orders or instructions from Sir Robert Sparkes at the bunker. If he is prepared to say that in the House, then it must be true.

The fourth horseman of the National Party apocalypse is foreign investment guide-lines. A long time ago the Opposition quite clearly laid its position on the record. We say there should be a strengthening, a firming, of the guide-lines. The Government did not do that.

I am running out of time, so I will turn to ministerial expenses and the Premier's desperate attempt to draw attention away from them. The Opposition repeatedly challenged him to table in this House full details of ministerial expenses and cash advances. He has never done so. How much has this Premier taken from the public purse in ministerial expenses and cash advances since the reporting was stopped three or four years ago? He will not tell the House. In the absence of being open and accountable, as he promised, he cannot blame the public and the Special Prosecutor for being suspicious. That is why it has to be cleared up. That is why the Special Prosecutor has to do it. The allegations were made by Lane and have been supported by Mr Scot Prasser, a

ministerial staffer of Mr Muntz and Mr White. The allegations have been supported by somebody who worked in the system. That, combined with his failure to disclose, damns the Premier in the public eye.

Time expired.

Federal Government's Attitude to Housing Interest Rate Crisis

Mr STEPHAN (Gympie) (11.12 a.m.): Once again we have heard the Leader of the Opposition denigrating Queensland, rubbishing this great State in which we live. I hope if he was ever to come to power we would see a little better attitude than that which the House witnessed this morning. In spite of his comments, each month Queensland is still gaining 3 000 migrants from the other States. More than 30 000 people who are coming to Queensland each year are voting with their feet.

Mr Burns interjected.

Mr STEPHAN: They are coming here not because of the sunshine and the surf but because of this Government's policies and the better attitude that this Government has adopted. That is what the member for Lytton and the rest of his colleagues cannot realise or accept. That is why each month the number of residents in this State increases. Those statistics cannot be denied.

Mr Burns interjected.

Mr STEPHAN: The honourable member will also find that 26 per cent of all new jobs created in Australia are created in Queensland. That means that Queensland, with 17 per cent of the population, creates 26 per cent of the new jobs created in Australia. That speaks for itself. It results from our policies in action.

What is happening is not because of the Federal Government but in spite of it. That is what I wish to speak about this morning: the Federal Government's attitude to development, and particularly its attitude to the housing problems caused by high interest rates. Anyone who looks at the problem realistically will find that the Hawke Government has presided over the worst housing crisis that Australia has ever seen. When Labor came to power in 1983, 19 per cent of all household income was required to purchase an average home. Today it takes 30 per cent, which is a very conservative estimate. In various areas of the country, depending on the price of housing, that figure is as high as 60 per cent or 70 per cent.

Mr Hayward interjected.

Mr STEPHAN: The honourable member would have to agree that it is certainly well above the figure of 30 per cent. He can sit there grinning but the amount of money required to buy a house is a very real problem to the people in the community, including the people in his electorate. The problem is getting worse, even though in his 1984 policy speech Mr Hawke said—

> "We pledge ourselves to bring home ownership once again within the reach of ordinary Australian families."

Mr Elliott: He also said there would be no child poverty.

Mr STEPHAN: Another of his famous comments was that no child would be in poverty. Since Mr Hawke's statement on home interest rates, honorable members have witnessed what has happened. By June 1989, housing interest rates were at record levels. In May 1989, savings bank home-loan rates were 17 per cent, with bankers predicting possible further rises in the near future. It emphasises that never in Australia's history have homes been less affordable and never have home-loan interest rates been higher.

When the Hawke Government came into office, in June 1983, the home-loan interest rate was 12.5 per cent. In June 1987, the rate was 15.5 per cent. In July 1987, it was 14.5 per cent, which was a temporary reduction. However, in March 1988 it increased

to 16 per cent, and in March 1989 it increased to 17 per cent, which was a record high level of home-loan interest rates.

The Hawke Government, after it came to power, abolished the previous Government's tax rebate for home-loan interest payments from 30 June 1983. That has caused hardship for the people of Australia. Between July 1985 and July 1987, it banned negative gearing on rental properties and cut funding for the First Home Owners Scheme in 1985-86 by $25m and in 1988-89 by $37m. Those actions should not be ignored or taken lightly.

The First Home Owners Scheme was implemented by the former Government and provided up to 11 per cent towards the full cost of home purchase. In 1988-89, the Labor Government slashed the funding of that scheme, with the result that in 1989 the maximum grant available towards the full cost of a home purchase was 5 per cent. If a person could purchase a home cheaply, the rate was 5 per cent. However, if the home was above the average price, the rate was higher.

Mr Burns: How much money did they raise when you were at the illegal races?

Mr STEPHAN: What have picnic races got to do with home-loan interest rates? If the honourable member had travelled to country areas, he would have noticed that the cost of homes has increased there just as much as it has in the city. Members of the Labor Party have nothing to be proud of with the high rate of interest on home loans.

I turn to Mr Hawke's actions in other areas. As a result of his actions, public housing waiting-lists increased massively from 109 800 people in December 1982 to a staggering 194 784 by December 1988. He caused housing-loan interest costs to skyrocket from 13.5 per cent to 17 per cent. He ensured that the qualifying income to buy an average-price first home has doubled since early 1985 from $23,000 to $46,000. Of course, that is dependent on people being able to find houses in that bracket. He has ensured that the median price for an existing home has risen 44.6 per cent from $77,000 to nearly $112,000.

By comparison, according to the Commonwealth Bank/Housing Industry Association, average household disposable income has only risen 4.9 per cent. What a contradiction! Under the Hawke Government, a small increase has occurred in the amount of money available for use by families to purchase homes and other items. However, the cost of homes has increased significantly.

Family allowances, which were introduced by the previous Federal Government, were income tested from 13 May 1987 for all families with joint incomes of $50,000 or more. Family allowances for 16 and 17-year-olds were means tested from 19 August 1986, making families with a household income of $39,000 or more ineligible for the allowance. The allowances were increased in the April 1989 tax package, but the beneficial impact has been totally eroded by rising interest rates and new and increased sales and excise taxes.

Those matters indicate the Federal Government's attitude, which is to denigrate and ridicule the family man and people wanting to buy their own homes. By contrast, the Queensland Housing Commission is going out of its way to assist the people of Queensland to own their own homes. It is making affordable houses available to the many people on the long waiting-list.

Mr Smyth: You have not supplied enough houses.

Mr STEPHAN: Mr Smyth would agree that there is a long waiting-list. However, he has not done anything to encourage additional houses to be built. The policy of his friends in Canberra is doing nothing to assist the provision of additional houses.

The amount being loaned to the people of Queensland by the Queensland Housing Commission is increasing. Its subsidy scheme is providing encouragement to people to own their own homes.

Register of Donors to Political Parties

Mr HAMILL (Ipswich) (11.22 a.m.): Where is the money coming from? The old conservative catchcry has taken on greater significance in the wake of the Fitzgerald inquiry and its revelations of political cronyism in Queensland. Although the terms of reference for the inquiry, gazetted on 24 June 1987, made specific mention of allegations that a payment of $50,000 was made to a Queensland political party, I am sure that the public, and certainly the National Party, did not expect the inquiry to lift the lid on the dubious means by which this National Party Government did business and at the same time extracted large sums of money from those individuals and those corporations which sought to do business in Queensland.

After the revelations of widespread political involvement in the letting of Government tenders and the coincidental success of some corporations at winning Government contracts following their fiscal generosity to the National Party, it was hardly surprising that Mr Fitzgerald recommended inter alia that consideration be given by the yet-to-be-established electoral and administrative review commission to "the establishment of a public register of donors to all political parties, or of such donations in excess of a minimum amount".

At page 85 of the report, under the heading "Political Donations", Fitzgerald wrote—

> "No evidence was found which substantiated that donations were made to one or more political parties by some of the persons named in the terms of reference of this inquiry or their known associates."

Honourable members should listen to this bit—

> "However, although it seems unlikely, the possibility that the National Party of Australia (Queensland) received money from such a source cannot entirely be discounted, nor can the possibility be rejected that there were plans for substantial donations if certain projects proceeded.
>
> Practices which were adopted with respect to donations included a propensity to accept large sums in cash, not infrequently from those who had benefited, or hoped to benefit, from dealings with the Government."

This indictment of the practices of the National Party was clearly illustrated by the circumstances by which Citra was awarded a range of Government contracts during the period from October 1983. Fitzgerald documents donations totalling $250,000 being made to the National Party by Citra in October 1983. Those secret donations were made at a time when Citra was tendering for Government contracts, and it is interesting to note that Citra was extraordinarily successful in the tendering process—that is, of course, where there was an opportunity to tender for a particular job.

Fitzgerald cites the awarding of a contract to Citra to construct the Bundaberg Maternity Hospital, despite the fact that another firm, Evans Harch, had submitted a tender some $65,000 less than Citra's tender price of over $2.5m, which had been accepted by Cabinet on the oral submission of the then Premier. Fitzgerald also draws attention to the fact that Citra was awarded Government contracts totalling $18.5m between October 1983 and January 1984—$18.5m! That is not a bad return on a quarter-million-dollar investment with the National Party.

The report also states that Citra's tender for Stage 1 of the rail electrification work was "incomplete and non-conforming", yet it was sufficient to remain under consideration such that Cabinet awarded the company the contract for Stage 2. No public tenders were called for Stage 2 and no tenders were called for Stages 3 and 4 of that project, which was also shared between Citra and another National Party donor, EPT Pty Ltd. It should also be noted that the decision to award the two companies the contract for approximately $25m each constituted a decision as to price contrary to Treasury advice.

Mr McKECHNIE: I rise to a point of order. The honourable member is casting aspersions on officers of the Railway Department who vetted those tenders. I seek

permission to table a letter from the former Commissioner for Railways which gives the lie to what the honourable member says.

Mr SPEAKER: Order! I will allow the paper to be tabled.

Whereupon the honourable member laid the document on the table.

Mr HAMILL: I am citing what is contained in the Fitzgerald report, not casting aspersions as suggested by the Minister.

As in other cases where the most competitive tender is overlooked in favour of a crony or a donor, the public is the real loser. In this case the public, through the Railway Department, paid out $10m more than ought to have been necessary. The circumstances concerning the awarding of these contracts and the role that Cabinet, including Mr Ahern, played in this matter deserve further explanation.

Why were not tenders called for the work in question? Why was the contract awarded at a price 25 per cent above that which Treasury had deemed reasonable? It is not unreasonable to question the coincidence that the National Party, through Sir Robert Sparkes and Sir Edward Lyons, should become a quarter of a million dollars richer courtesy of Citra and that this company should receive such a dream run in scooping up a series of large Government contracts, complete with windfall profits, as seen in the Caboolture-to-Gladstone electrification project. Fitzgerald has certainly inferred a direct link between the secretive, yet highly successful fund-raising by the National Party and pay-backs in the form of Government largesse and contracts.

Clearly, if there is to be true accountability, then there must be accountability on the part of political parties for donations which they receive. A few weeks ago, when the Premier was trumpeting his unqualified support for Mr Fitzgerald's findings, he used the words "lock, stock and barrel". Do honourable members remember that? He also ventured to express the view that he was not opposed to the introduction of a public register of political donations. That was until Sir Robert Sparkes said otherwise. That is exactly what happened.

The real power behind the National Party throne pulled the marionette into line and together they announced that, despite the views expressed in the Fitzgerald report for enhanced public accountability, the National Party Government would not be implementing reforms such as freedom of information legislation, the tightening-up on the declaration of pecuniary interests or the introduction of a register of political donations.

The attitude of the National Party is predictable. While mouthing accountability, the National Party remains hooked on the same old corrupt system which Fitzgerald highlighted in his report. Kick-backs and cronyism remain the order of the day, as can be seen by a review of the revelations before the Public Accounts Committee with respect to drought and natural disaster relief and the operations of the QIDC and the secrecy which shrouds the redevelopment plans for the Roma Street railway goods yard site.

Let us not be confused. While cronyism and corruption were rife during the Bjelke-Petersen premiership, the instances of cronyism and corruption that I have just mentioned have occurred and are occurring under the Ahern National Party Government. As I said, the attitude of the National Party really has not changed, but it is interesting indeed to ascertain where the Nationals erstwhile partners, the Liberals, stand on this important issue.

Honourable members will recall that the Labor Party alone in this House sought to close the gaping hole in the pecuniary interests register, which allowed assets to be held by members' spouses to avoid disclosure. The Liberals and the Nationals demonstrated their true colours on the vital issue of accountability by hiding behind a claim of invasion of privacy to frustrate the full disclosure of pecuniary interests of members and their families. Their logic was fascinating. The disclosure of children's interests was not an invasion of privacy, but the disclosure of a spouse's interests constituted such a

breach. It is clear from page 137 of the Fitzgerald report that Commissioner Fitzgerald has little sympathy for the position taken by the conservatives on this vital issue.

But what of the question of a register for political donations? Ahern and Sparkes have already jettisoned the recommendation, despite the professed commitment to implement all of Fitzgerald's recommendations. But what of the Liberals, who have been strangely silent on the issue? We have to go to the party organisation for the answer. On the ABC's *7.30 Report* of 13 July, State Liberal Director, David Fraser, provided the answer, as follows—

> "We believe however that it is a fundamental right of any individual if they want to donate to a political party, to be able to do so without that information being made public."

So much for accountability! So much for seeking to try to root out the system of corruption that has become endemic in our State's political system.

It is little wonder that Queensland Liberals, despite their anti-corruption rhetoric, can direct their preferences to the National Party at the forthcoming State election and be happy, at very best, to play a support role in a new National Party dominated coalition. While we have seen the Liberal Party and the Nationals seek to subvert the public disclosure of political donations at the Federal level, there can be no place for such antics in Queensland.

Fitzgerald stated—

> ". . . there is an urgent need to consider establishing a public register of political donations. Lack of such a register has given rise to community suspicion and lack of confidence in the political process."

Before I close, I wish to make one further observation with reference to the manner in which the Queensland National Party Government has subverted the conduct of public administration in this State. I draw honourable members' attention to that section of the Fitzgerald report, at page 89, where Fitzgerald details the operations of the National Party slush fund called Kaldeal. In particular, I draw members' attention to one of Kaldeal's directors, Mr William Roberts, a person described by Fitzgerald as "a prominent National Party supporter". Is he the same William Roberts who is a director of the National Party slush fund and who was also a member of the board of the discredited QIDC? How can a slush fund director hold such an important job?

If we really believe the Premier when he speaks about cleaning up the system and making it right, then it is the political cronies such as William Roberts who must be removed from positions which demand public trust and confidence. Here and now I call on the Premier to take that action immediately. If we are to restore public confidence in the political process and clean up the system of public administration in Queensland, there is no room for compromise.

Economy and Environment; Waterfront Work Practices

Mr FITZGERALD (Lockyer) (11.32 a.m.) In joining in the Matters of Public Interest debate, I note that I follow the fastest reader in the House. One could not help believing that both Federal and State elections will be held at the end of this year or maybe early next year. However, the matters I wish to raise in this debate are related to issues about which the people are really concerned. At both Federal and State levels, the real concerns are about the economy and the environment. They are probably the No. 1 and No. 2 issues. If members of the Labor Party want to start talking about the economy——

Mr HAMILL: I rise to a point of order. The member for Lockyer is misleading the House. We know that cronyism and accountability are the two issues that the public of Queensland are most concerned about.

Government members interjected.

Mr SPEAKER: Order! The House will come to order. There is no point of order.

Mr FITZGERALD: I note that the honourable member for Ipswich was trying to interrupt my speech because he did not wish to listen to the comments that I wanted to make on the economy and the environment. Recently, the Labor Party has been running scared on the economy. At present, one does not see Paul Keating coming to Queensland to debate any economic issues. Members of the Opposition are trying to use red herrings by sending Senator Richardson to Queensland to make false allegations, to stir up problems and to talk about large areas of Queensland that supposedly the National Party Minister will "clean up". Senator Richardson has said that the National Party Minister will remove all the trees from a large area of Queensland. That allegation has been denied, and Senator Richardson knows that. He is making those allegations so that the people in Sydney and Melbourne will have a warm inner feeling and say, "At least somebody is looking after the environment."

When one refers to the world environment, one finds that most of the editorials are similar to the one that appeared recently in the *Toowoomba Chronicle*, which stated, "Think Global—Act Local!" That is a quotation that I can attribute to the honourable member for Windsor. He often says, "Think globally—act locally."

Richardson comes from a place called Sydney. I wondered whether the people in Sydney wanted to talk about the environment and the local issues. Honourable members would be familiar with the problems at the treatment plants at Malabar and North Head in Sydney. The people are worried about the pollution of the Australian landscape. Mr and Mrs Sydney would much prefer to talk about an artificially incorrect allegation by Richardson about a Queensland scheme than about what is happening in Sydney itself. Honourable members know that when the treatment plants at Malabar and North Head are closed down, raw sewage that has not even received primary treatment will be flowing out into the bay and flowing back onto the beaches used by swimmers. Are we going to have our Sydney rock oysters marinated in raw sewage? Sydneysiders and Melbournites want to talk about "Think Global—Act Local!" Is that not a major concern?

What does Senator Richardson say about that? On 16 June 1989, in the *Australian Financial Review*, Senator Richardson stated that sewage was a State problem. Senator Richardson now thinks that environmental matters are State problems. That newspaper stated—

> "The Federal Government would not consider revoking state authority over coastal waters in order to control sewage discharge on the New South Wales coast, Environment Minister Graham Richardson said yesterday.
>
> Senator Richardson told the Senate the Commonwealth had no power to control Sydney's sewerage problems.
>
> He said state governments were given control over coastal waters under legislation and an agreement worked out in the 1979 Premiers' Conference."

How convenient! Senator Richardson does not want to know about his own back yard. He does not want to assist to solve the problem left behind by former Labor Governments in New South Wales. Sewage that has received very, very limited treatment is being pumped straight onto the beaches.

I can recall when Prince Charles went down to the beach at Bondi. He had a look at it and decided not to enter the water. I will not repeat some of the comments and wisecracks that he made at that time. Honourable members know that major problems are being encountered on Sydney beaches. What is happening to solve them? Absolutely nothing! What does Richardson do? He does not want to know about the problem. And he believes in State rights! He believes that the States should be controlling all their own coastal matters. I will quote Senator Richardson's comments again and again.

The second issue about which I am very concerned is that the Labor Party is trying to create a smoke-screen by saying, "We care about the environment", when really the major issues relate to the economy. At present, Australia has a rising national debt on its hands. Compared with the GDP, the national debt is increasing dramatically. According

to the members of the Labor Party, Australia needs to improve its balance of payments by encouraging exports and limiting imports. In an attempt to limit imports, the Federal Government is raising interest rates to an artificially high level and strangling every house-buyer who is trying to pay off a mortgage.

People have been telephoning me and saying, "My repayments are well over 50 per cent of the family income. I cannot keep going. The children have to eat Vegemite sandwiches. We cannot afford butter." Other honourable members have probably received similar calls. Some people are flat out surviving.

What did Keating do? He created artificially high interest rates so that imports are limited. But what is the Federal Government doing about exports? What is it doing about getting our export industries going?

For some time many people have been very concerned about Australia's export industries, and obviously the Federal Government has been concerned about them. An article that appeared in the *Times on Sunday* on 20 December 1987 stated—

> "Govt plan to wipe out wharf wastage
>
> Federal Cabinet's powerful Structural Adjustment Committee has begun work on a plan to clean up the industrially troubled Australian waterfront with the aim of improving trade competitiveness.
>
> The Minister for Transport and Communications, Senator Gareth Evans, plans to launch a national waterfront strategy early next year in the belief that shore-based shipping costs are one of the main obstacles to a much-needed increase in Australian exports.
>
> Industry experts have estimated that delays, stoppages and inefficiencies in Australian ports are costing up to $2 billion a year in trade. . ."

That is a national tragedy.

At the end of 1987 the Federal Government woke up to the fact that a problem exists in our export industries. An interstate commission was established to take evidence from people throughout Australia. A waterfront investigation which was undertaken around the State came up with some very interesting figures.

The Minister for Water Resources and Maritime Services spoke in this House about the effect of waterfront workers' practices on the Australian economy. He mentioned a one-in-seven roster system for waterfront labour and the associated costs.

Australia needs an efficient shipping industry so that all business people who import and export goods have a fair go. The average Australian wharfie loads between 9.7 and 10 containers per hour. In New Zealand, which has similar equipment, a wharfie loads 22 containers per hour. Wharfies in Europe load between 25 and 28 containers per hour. I ask the ex-wharfies in this House to listen to what I am saying and pass on the message to their mates. In Asia wharfies load 30-plus containers per hour. Because the ports of Hong Kong and Singapore have grown and created inefficiencies arising from lack of space, wharfies there are required to stack containers up to six high.

Fisherman Islands has oodles of room, but Australia's wharfies average only between 9.7 and 10 containers per hour. Even though one operator manages to load 20 containers per hour and the next fellow who comes along loads only four, those two fellows take home exactly the same pay. There is absolutely no reward for efficiency on our waterfronts. Instead of getting on with its union mates, the Federal Government should eliminate the main cause of the strangulation of our imports and exports and create a smooth passage for goods in and out of this country.

The average age of wharfies is between 50 and 55. Most of them take home $50,000 per year. I do not begrudge them their wages. But I want efficiency. Stoppages on waterfronts increase costs for industry and families. If the problem is not remedied, our children will suffer.

Why does the Federal Government not do something about this issue? State unions should take over the responsibility for waterfront workers. Australian wharfies should at least equal the efficiency of wharfies in New Guinea, who average 20-odd containers per hour.

Time expired.

Noosa North Shore Development; Mr Barrie Loiterton

Mr CAMPBELL (Bundaberg) (11.42 a.m.): In April of this year I exposed the international fraud—the international con man—Barrie Loiterton and his association with the Noosa North Shore resort development, which is a classic case of cronyism.

Mr Ahern pretends that cronyism does not occur under his Government, but he cannot lay the blame for this issue on the ghost of the past. This is Ahern-style Government, not Bjelke-Petersen Government. I intend to prove that, although the name of the National Party Government has changed, it is still the same; that cronyism and ministerial incompetence prevail.

In this Parliament I was described as making "wild and totally false allegations" and providing "evidence that was obviously and demonstrably pure rubbish". That was Minister Randell's response to my revelations about Barrie Loiterton.

Because of the concise and concrete evidence that was provided in a *60 Minutes* report, I have been proved right and the Minister has been proved wrong. During that program the Local Government Minister proved that nothing has changed; that the white-shoe brigade is welcome in Queensland even if its shoes are dirty.

During the *60 Minutes* program a United States justice official could only laugh in disbelief when he was told that Barrie Loiterton was dealing with the Queensland Government. Yet this Government, through Mr Randell, stated that dealing with people such as Loiterton was of no concern; that it was not the Government's responsibility.

During that program Mr Randell stated—

> "Well, I'd like to make it quite clear that I deal with Mr Loiterton on purely town-planning matters and rezoning matters and there is not a requirement for me to look into the background of any person."

What crass ignorance! What shallowness of the State Government to expose the people of Queensland to such an international con man! Regardless of a person's morals or background as an international con man, as long as he has the money or can get it, he can come to Queensland and the National Party will look after him. The Minister squirmed out of his responsibility. When pressed about who protects Queenslanders, he said, "Well, I suppose the media warns them like you're doing." What a cop-out!

The Labor Party first exposed Loiterton and warned the Government about his bad business record. As usual, the National Party Government swept the allegations under the carpet. Only through dramatic and embarrassing exposure by the *60 Minutes* program has the Government been stung into action.

In this Parliament on 25 February 1987—more than two and a half years ago—I described the Noosa North Shore development in this way——

Mr RANDELL: I rise to a point of order. The member is completely incorrect. My Government took action in regard to this matter long before then.

Mr CAMPBELL: I withdraw the remark.

On 25 February 1987 I described the Noosa North Shore development in this way—

> "Three key ingredients are involved. They are personal gain for a Federal member of Parliament, an association with an international con man and State Government interference and manipulation for financial gain."

I stated further—

"This man (Loiterton) has a shocking record in tourist development proposals. He is nothing more than a con man."

At that time detailed evidence of two international tourist development frauds were outlined—the Soqulu Plantation resort at Fiji and the Tiara resort in New Caledonia—as was the fact that this man Loiterton was mentioned in the Costigan Royal Commission. At that time the Government took no action and made no investigations. But the local State member, Gordon Simpson, supported the Minister for Local Government in preparing a Bill, now the Integrated Resort Development Act, to take major development proposals out of the hands of local authorities. And so the involvement of the State Government was established.

On 16 March this year in Parliament, the Government, through Mr Muntz, congratulated itself on its dealings with Loiterton, describing the resort as "a major break-through and a major conservation initiative by this Government". It congratulated the member for Cooroora, Mr Simpson, on being with this project right from the beginning.

On 4 April I again pressed the Queensland Government to reject co-operating with Mr Loiterton. I outlined his record as follows—

(1) He has a string of failed companies with hundreds of unpaid debts.

(2) His land dealings have been blocked by the Fiji Land Titles Office until he pays stamp duty.

(3) His land sales are being investigated by United States authorities.

(4) His financial affairs in Hong Kong were recommended for investigation by the Costigan Royal Commission.

(5) His sales were banned by the real estate institutes in Oregon, Hawaii and California.

Loiterton's business failures included—

(1) His Hong Kong company, Trois Investments.

(2) Vanbro, Metro-vincial—which still owe money to the Queensland Government—and other Loiterton New South Wales companies bankrupt, leaving combined debts of more than $1.4m.

(3) He was associated with Southbank Aviation, which eventually became Wings Australia, which collapsed in 1983 with irrecoverable debts of $15m.

That was Loiterton's record outlined in this House.

But further, I detailed the specific improper business dealings of Loiterton in regard to the Noosa North Shore resort development. Firstly, initial discussions held on 3 April 1986 involved Resort Management Services Limited, a non-existent business entity at that time. The business name Resort Management Services Limited was first registered in Queensland by Leisuremark Australia Pty Ltd—Loiterton's family company—on 1 August 1987, more than 15 months after those initial discussions.

Secondly, on 11 June 1986, this nonentity, Resort Management Services Limited, lodged an application being a preliminary inquiry regarding rezoning of the land. Then on 27 October 1986, Maunsell and Partners Pty Ltd lodged a formal application on behalf of Resort Management Services, again still a non-business entity. In all these circumstances in regard to the Noosa North Shore development, a non-business entity has been dealing with the Noosa Shire Council and has been supported by the member for Cooroora and by the National Party Federal member Mr Ian Cameron.

On 4 May 1987, Leisuremark Australia Pty Ltd, acting for Resort Management Services Limited, withdrew the rezoning application. Then on 13 May 1987 Leisuremark Australia Pty Ltd—Loiterton's family company—submitted a rezoning application. The Loiterton company, which now has the right to take part in a $400m resort development,

has outstanding annual general meetings for 1987 and 1988 and has therefore defaulted under section 240 of the Companies Code and is liable to a penalty of a $1,000 fine or three months in gaol.

Finally, while all this was going on, the land that was being rezoned, which was subject to Local Government Court decisions and court battles, was not purchased by Loiterton's company until 1988. It was not until April 1988 that that land was actually purchased from Double Island Pastoral Company Pty Ltd. They are dealings that are improper in regard to land that is not even owned by Loiterton. Rezoning considerations were being given by the Noosa Shire Council and, in many ways, help was being given by the Queensland Government.

At that time Minister Randell stated—

> "It is totally incorrect to claim that anybody, least of all this Government, approved it."

However, it was reported that previously, on 13 March 1989, Cabinet gave the green light for Noosa tourism development.

Also, the National Parks Minister, Mr Muntz, condoned and applauded the land deal with Loiterton and others concerning national parks. The Minister for Water Resources and Maritime Services, Mr Neal, had responded to Labor that—

> "It is proposed to pump water from the Noosa River to form a lake as part of the development. Any work constructed below high water . . . would be subject to the provision of section 86 of the Harbours Act."

Finally, this Minister says that he or the State Government was not involved. His lack of action or genuine concern is shown in his letter dated 8 March 1989 with regard to the Noosa North Shore development. The letter states—

> "As a result of further representations being made to me by the Noosa Shire Council expressing concern that the Noosa North Shore area was a fragile landform with very limited people-carrying capacity, I undertook an inspection of the area with officers of the Local Government Department to . . . determine whether or not a special study of the type normally undertaken in respect of overseas national parks and their ability to accommodate visitors was warranted.
>
> As a result of that inspection, I concluded that while the area was sensitive in many respects, the carrying out of such a study could not be justified."

In other words, Mr Randell did nothing and at least passively helped Loiterton. There has been deceit, cover-up and involvement of the State Government with Loiterton and the Noosa North Shore development.

On Monday the Premier said that, six months ago, he investigated Loiterton's background. If that is so, what are the results of these investigations? In reality, nothing was done. In fact, I had to defend myself against attacks by the Local Government Minister.

Mr SIMPSON: I rise to a point of order. The honourable member is quite incorrect. Action was taken 18 months ago through Corporate Affairs and the Noosa Shire Council was made aware of those investigations.

Mr SPEAKER: Order! The honourable member will state his point of order.

Mr SIMPSON: My point of order is that the honourable member's statements are untrue and incorrect and he is misleading the House.

Mr CAMPBELL: I withdraw.

Mr SPEAKER: Order! There is no point of order.

Mr CAMPBELL: It is the old National Party tradition: say nothing, do nothing, attack the messenger, and it will go away.

At that time I asked all Ministers who had been involved in discussions with Loiterton, including Ministers Randell, Muntz and Neal, to put on record that they would examine the credibility of Loiterton, who was nothing less than an international con man. No investigations were carried out—only insults were hurled at the Labor Party.

As far as the National Party is concerned, greed is good. It is prepared to support the influential favoured few. In this instance it is another crony being helped by the National Party, but this time it has been exposed by the Labor Party.

Someone once said, "He has engaged in the lowest form of parliamentary life." Those were the words of the present Premier, Mr Ahern, to describe not myself but the late Kev Hooper. Kev Hooper had just exposed more corruption and prostitution. That was in 1977, but today who was proved right? Of course, it was Kev Hooper. Today the National Party continues to shoot the messenger.

Australian Labor Party's Record of Accountability in Government

Mrs NELSON (Aspley) (11.53 a.m.): Members of the Labor Party in Queensland would have the people of Queensland believe that they could be trusted to provide open, honest and accountable Government and introduce fair electoral boundaries, in their view. They must be joking if they expect the people to believe and trust them on the record of the Australian Labor Party in Government in every other State of Australia and also in the Federal sphere. I will give honourable members three examples. The member for Bundaberg spoke about Barrie Loiterton. What about John Friedrich? What about the Amann defence contract? What about Charlie Perkins? They are three examples of corruption at the Federal ALP level and now there is Loiterton in New South Wales.

What about John Friedrich? Over a year before Friedrich was exposed and ran away with $150m of tax-payers' resources, the information about him was provided by Senator Boswell to the Federal Government. What are the charges against Friedrich so far? What about the Amann defence contract? Again, Senator Boswell raised this issue in the Federal House. What happened with the Amann defence contract? I will tell honourable members what happened. Nothing happened.

Mr DEPUTY SPEAKER (Mr Row): Order! The level of conversation and cross-fire in the Chamber is becoming excessive and it is impossible for the member on her feet to be heard.

Mrs NELSON: What about Charlie Perkins? There was a scandalous waste of $47m of tax-payers' money and he had to be forced to resign. In common with every other inquiry conducted by the Federal Government, the inquiry into that matter was a whitewash, to use a very bad pun.

Let us look at the Federal inquiry conducted by Mr Costigan. His investigations into the activities of the Federated Ships Painters and Dockers Union revealed how honourable the Federal ALP is. His investigation spread from his initial terms of reference to reveal a network relating to the importation and sale of hard drugs, tax evasion, corruption and other illegal activities. Initially, Mr Hawke was supportive of the commission. On 19 May 1983 he said to the Federal House—

> "What we are doing is to ensure that by increasing the resources of the Costigan Royal Commission the work of the commission will be increased and improved."

By the end of the same year, that same Prime Minister had withdrawn his support for the commission. Mr Costigan was forced to go cap in hand to him. He said in a letter of 23 November, which was tabled in the Federal Parliament—

> "I feel the public interest and the demands of my work require me to request that my commission be extended to 31 December 1984."

The Prime Minister refused to extend it. On 25 November, Mr Costigan stated—

> "I am finding increasing resistance to my investigations even with the powers granted to me under the Royal Commissions Act there is a growing tendency to impede my work."

At the end of February 1984, Bob Hawke had wound up this jolly commission. He whitewashed it and pushed it under the carpet. In fact, Mr Costigan was not even allowed to brief the commissioner of the new National Crime Authority. In excess of 600 charges were laid as a result of his preliminary investigations; but, when he got close to the mates of the ALP, the whole thing was closed down.

Let us now have a look at New South Wales. For 10 years under Wran, the people cried out for a crimes commission. The first one was the Ombudsman in 1978.

Mr Ardill: What about Askin?

Mrs NELSON: Maybe Askin was corrupt, but if he was, who arranged and funded Neville Wran to be endorsed as the candidate? Who allowed Neville Wran to be put into Parliament and made Premier? It was organised crime in New South Wales that had him elected. Members of the Opposition know that, and everyone knows exactly why he had to resign. No action was taken for a decade in New South Wales. It was not until there was a change of Government and a Liberal-National Party Government was elected that a crimes commission was appointed in that State.

Now let us look at Mr Bannon in South Australia. For 18 months he tried to impede the royal commission.

Mr DEPUTY SPEAKER: Order! The Chamber will come to order. There are too many raised voices.

Mrs NELSON: For 18 months Mr Bannon tried to impede the work of the National Crime Authority.

Mr R. J. Gibbs interjected.

Mrs NELSON: I believe in truth, Mr Gibbs, and I do not like the Labor Party's getting away with hypocrisy. Members of the Labor Party want the people of Queensland to trust their party but they could not trust the Labor Party any day of the week.

In South Australia, Mr Bannon was forced to accept a National Crime Authority inquiry. He desperately asked them to keep it secret because of the rape, murder and corruption in which people in the Labor Party and their police friends had been involved in that State.

Let us now have a look at trade union corruption in Queensland. Let us talk about the Federated Engine Drivers and Firemen's Association and the fact that one of its members is under investigation for fraud concerning an amount of $600,000 that is missing from union funds. I do not know whether he is guilty or innocent and I will not pre-judge that issue, but the money is missing. I will say this: there will be some interesting revelations about that matter in this place during the next 24 hours.

What about the Federated Liquor Trade Employees Union? That union is in such a shambles that it has asked members to vote for reform. The Liquor Trade Union membership is so desperate that its membership has dropped from 20 000 members to 9 000 members in 18 months. People are so disgusted with the corruption that took place in that trade union that they have resigned. Where do members of the Labor Party get their candidates from? Where do they get the money to fight elections? They get the money from organisations from which millions disappear every year.

Opposition members interjected.

Mrs NELSON: I will give the Opposition another example if it wants one. Australia Post is a good example for the people in the press gallery because it used to make its staff do checks on money in the tills every week. A teller had to look after each post

office counter. No longer do people have to check their money. In two south side post offices in this city, up to $8,000 is missing out of post office money because the Federal Government took away the accountability procedures. The staff has been ripping off the post offices and the tax-payers of Australia.

Mr DEPUTY SPEAKER: Order! The time allotted for the debate on Matters of Public Interest has now expired.

ELECTORAL AND ADMINISTRATIVE REVIEW COMMISSION BILL

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (12 noon), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for an Electoral and Administrative Review Commission and for a Parliamentary Committee for Electoral and Administrative Review and for related purposes."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Ahern, read a first time.

Second Reading

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (12.01 p.m.): I move—

"That the Bill be now read a second time."

This Bill represents the firm commitment of my Government to the implementation of the recommendations of the Fitzgerald commission. It puts paid to the wild assertions of the opposition parties that my Government is not prepared to implement the Fitzgerald commission's recommendations. This Bill is positive proof of my Government's commitment to ensure that, no matter how hard and difficult the road might be, we will pursue it to the bitter end, and that it is only the National Party that can be trusted with this task.

This Bill provides for the creation of an Electoral and Administrative Review Commission. The commission is to be composed of five members with extensive knowledge and expertise in the fields of commercial enterprise, community affairs, electoral matters, industrial affairs, law, public administration and trade union affairs. National advertisements have already been lodged calling for persons willing to serve on this commission. The Bill provides that, before appointments are made to the commission, I will consult with the parliamentary committee which will be established by this Bill in relation to the persons to be appointed. In order to ensure continuity in membership of the commission, initial appointments to the commission will be staggered so that as reappointments are made continuity in membership is maintained.

The immediate function of the commission—which will answer the continued harping of the opposition parties over the question of the Queensland electoral system—is to have this independent and impartial commission investigate the zonal and electoral district division of Queensland and report by 31 March 1990 in order to enable the election, which will be held prior to 8 July 1990, to be conducted on zones, if any, and boundaries which have been approved by this commission.

I am supremely confident that, after seeing this firm commitment of my Government to this process of review, the people of Queensland will approve my Government's program at the referendum to be held on 14 October. Once this approval of the people is obtained, under the Bill the commission will be required to report on 12 December 1989 on the initial question of whether there should be electoral zones in Queensland. Under this Bill all persons who have a view on this subject will have the capacity to make representations and submissions to the commission. If the opposition parties who

attack this measure for providing electoral justice to all Queenslanders have the courage of their convictions, they will be able to stand up and be counted at this time.

The Bill further provides that, following the initial report on electoral zones, a further process of a public submission to the commission will take place in order to enable the commission to receive submissions on the boundaries of the zones, if any, and the electoral districts. Once these submissions have been considered by the commission, the Bill requires that the commission publish maps and statements of the proposed zones, if any, and electoral districts, make such maps and statements publicly available and, for a period of one month, give to the people the right to make objections and suggestions to the commission in relation to the commission's proposals. Once these objections and submissions have been made, the Bill further empowers the commission to consider those representations and bring down its final report no later than 31 March 1990. Having brought down its final report, in clause 2.12 the Bill empowers the commission to immediately oversee the full implementation of its report. Thus, at the election to be held before 8 July 1990, the new boundaries and zones, if any, will be in place. The Bill further goes on to provide for the appointment of staff by the commission and for the secondment of staff to the commission and ensures that, where staff are seconded to the commission, they remain under the control of and are responsible to the commission.

As my Government is committed to the concept of Parliament sovereignty and responsibility, the Bill further goes on to provide for the appointment of a committee of this Parliament to oversee the actions of the commission. It will not be the function of the parliamentary committee to directly intervene in the investigations and examinations which the commission will pursue. However, the parliamentary committee will generally oversee the commission in its actions and report to this Parliament to enable this Parliament to exercise the responsibilities vested in it by the people of Queensland.

Honourable members should also note that the Bill provides that should, by some mischance, the referendum on 14 October fail, the commission is to suspend its investigations under this Bill until such time as the election, which will then have to be held prior to 8 January 1990, is held.

As honourable members would realise, in introducing this Bill the Government has adopted the policy of accelerating certain aspects of the recommendations of Mr Fitzgerald in relation to the general review of electoral and administrative matters by this commission. Before proceeding to legislate generally, my Government has decided, in the spirit of the Fitzgerald reforms, to allow for a period of public consultation in relation to the final form of the proposed legislation and to electoral and administrative review generally. I therefore seek leave of the House to table the draft of a Bill prepared by the implementation unit headed by Peter Forster under the auspices of Mr Fitzgerald, which outlines in draft form the thrust of Mr Fitzgerald's recommendations in this area.

Leave granted.

Whereupon the honourable member laid the document on the table.

Mr AHERN: Before finally putting this general Bill to the House, I look for the widest possible public input and comment on the proposed content in this draft Bill. It is important that civil liberties organisations, local government bodies, professional associations, public service unions and all other interested groups and individuals, including political parties, make submissions on the proposed Bill if thought necessary. I am honouring the commitment I made to ensure that the legislation to establish this important and powerful commission will not be rushed.

I refer members to page 144 of Mr Fitzgerald's report where he states—

> "The initial temptation in a report such as this is to firmly prescribe the new administrative laws needed, or needed in the opinions of the Commission, to overcome the deficiencies. While such a move would probably attract short term public support, such a court would be just as deficient as the steps and prescriptions which have led to the current predicament.

At best, the laws would reflect inadequate deliberation, research, and community input, and cursory Parliamentary attention. Worse still, the prescriptions may inadvertently suffer from bias, caused by the limited time this Commission has had to conduct necessary research and analysis of the impact of the many disparate reforms recommended in submissions.

Short term prescriptions of this kind will not lead to the ultimate solution, which must be for the democratic and Parliamentary process to work in the manner intended."

Mr Deputy Speaker, the package of legislation introduced by my Government today represents the commencement of the fundamental overhaul of the Queensland system of government. I became Premier of Queensland with a commitment to a vision of excellence for Queensland. This legislation is yet another building block in the creation of that vision. After this process is complete, the opposition parties will no longer be able to launch a valid attack on my Government on this issue.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

CONSTITUTION (EXTENSION OF DURATION OF PARLIAMENT) BILL

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (12.09 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to extend the term of the present Parliament of Queensland to allow the Electoral and Administrative Review Commission to review the electoral system and carry out Redistribution of Electoral Boundaries as determined by the Commission for an election no later than July 7, 1990."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Ahern, read a first time.

Second Reading

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (12.10 p.m.): I move—

"That the Bill be now read a second time."

As honourable members are aware, in his report which he presented to the Government on 3 July 1989, Commissioner G. E. Fitzgerald made certain recommendations relating to the establishment of an Electoral and Administrative Review Commission. On page 370 of the report, item 9 reads as follows—

"The Commission conduct an open independent inquiry into and make recommendations in respect of existing electoral boundaries in Queensland, including, but not limited to:

(i) whether there is a genuine justification for a zonal system

(ii) if there is a justification for the present system, what zones ought to exist and what (if any) special considerations should obtain in respect of each zone

and any legislation required to give effect to the Commission's report be enacted without delay."

My Government has acted decisively to have the Electoral and Administrative Review Commission established as quickly as possible. The relevant legislation has now been introduced into the House. However, as anyone with any understanding of the

situation would know, it is just not possible to have legislation passed, the commission set up, personnel appointed, investigations carried out, submissions examined, recommendations finalised and, if required, alterations made to electoral boundaries and electoral rolls before the Forty-fifth Parliament expires with the effluxion of time by 8 January 1990.

Therefore, on 19 July 1989, I announced that a referendum would be held to give Queenslanders the choice of holding an election this year on existing boundaries or extending the term of Parliament by six months to enable elections to be held after a review of the electoral system as it relates to zones and boundaries within the State.

This Bill will extend the duration of the term of the Forty-fifth Parliament to 8 July 1990, unless sooner dissolved by the Governor. It will also provide that, if the Forty-fifth Parliament of Queensland has not been dissolved by 25 May 1990, the Governor must issue writs for a general election of members of the Legislative Assembly, the date of such election to be 7 July 1990.

This entire legislative package represents the most iron-clad guarantee of independent electoral reform and redistribution ever undertaken in the Australian political system. There is no way out. Most importantly for the electors of Queensland, both the Labor Party and its joint partners, the Liberals, are firmly locked into it. Today I have presented to Parliament and to the people a formula for electoral reform. Combined with the referendum proposal, it will mean—

- if a "Yes" vote is achieved on 14 October, there will be an election under the new electoral system and boundaries no later than 7 July next year;
- but if a "No" vote is achieved as a result of the failure of both the Labor and Liberal Parties to support this early change, then people will not be able to go to the polls under the new system until 1992.

A "No" vote means that the State poll will be held under the old boundaries by the end of this year. Where does this leave the Labor and Liberal Parties and, in particular, their respective leaders, on the issue of the referendum? Unless there is a sudden change of heart, it leaves them right out there in the market-place as the greatest political hypocrites this State has ever known.

The "No" case being mounted by both the Leader of the Labor Party and his coalition partner the Leader of the Liberal Party brands them as phoneys, as political frauds of the highest order. The Labor Party is saying that, despite a petition it circulated just before I made the referendum announcement, it does not want electoral reform until 1992. Its leader has dithered around the issue constantly and also has reneged on the tripartisan agreement made in the presence of Commissioner Tony Fitzgerald.

It was Goss who ran out to the media waving this agreement, which states very clearly that all three leaders agree to abide by the decisions on electoral reform of the independent Electoral and Administrative Review Commission. Within 24 hours he had been hammered by his factional foes in the Labor Party and reversed his position, saying that if anything other than the Labor Party's policy on redistribution was recommended by the commission, the Opposition would think about it.

As for his colleague, the Uriah Heep of the electorate of Sherwood—his position also ranks high in the charts of hypocrisy. He also does not want electoral reform until 1992. What a pair of saints abroad and devils at home! What a pair of sanctimonious hypocrites! It is quite clear that the Labor and Liberal Parties have adopted a totally political stance on this issue. They are not interested in reform or redistribution. Their agenda is to create confusion and misunderstanding. They are operating in direct opposition to the spirit of the Fitzgerald recommendations on electoral reform. They are without conscience on this issue.

The people of Queensland will have a clear choice on 14 October and nothing the opposition leaders say will be able to confuse that choice.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

CONSTITUTION (REFERENDUM) BILL

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (12.15 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for the approval of a Bill to extend the term of the present Parliament of Queensland to allow the Electoral and Administrative Review Commission to review the electoral system and carry out Redistribution of Electoral Boundaries as determined by the Commission for an election no later than July 7, 1990."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Ahern, read a first time.

Second Reading

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (12.16 p.m.): I move—

"That the Bill be now read a second time."

This Bill provides that the Constitution (Extension of Duration of Parliament) Bill be submitted for the approval of electors at a referendum.

For the information of honourable members—the arrangements for the referendum are—

(a) writ for a referendum be issued on Thursday, 31 August 1989;

(b) the close of rolls be Thursday, 31 August 1989;

(c) the date of polling be Saturday, 14 October 1989;

(d) the date for the return of the writ be Monday, 30 October 1989.

The issue of the writ on Thursday, 31 August 1989, coincides with the completion of the roll canvass which has been conducted by the Commonwealth in conjunction with Queensland. In view of the selection of that date, the State Electoral Office will give appropriate publicity in order to ensure that all persons eligible to enrol are enrolled.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

REFERENDUMS BILL

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General and Minister for Corrective Services) (12.18 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for the conduct of a referendum and for related purposes."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Clauson, read a first time.

Second Reading

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General and Minister for Corrective Services) (12.19 p.m.): I move—

"That the Bill be now read a second time."

Honourable members are by now well aware that the duration of the Legislative Assembly can not be extended except in accordance with the provisions of section 4 of the Constitution Act Amendment Act of 1934. That section requires that a Bill having the effect of extending the three-year term of the Legislative Assembly shall not be presented to the Governor until the Bill has been approved by the electors. Subsection (4) of section 4 of the Act provides—

> "When the Bill is submitted to the electors the vote shall be taken in such manner as the Legislature prescribes."

Whilst the Elections Act 1983-1985 deals comprehensively with the conduct of general elections, it is silent as to the conduct of referendums. Accordingly, the Referendums Bill has been prepared to provide for the conduct of referendums within this State.

The Bill is essentially a machinery Bill and provides the various mechanisms for the issue of a referendums writ and for the polling and conduct of referendums, the publication of results of referendums, various supplemental provisions and, finally, mechanisms for challenging a referendum. The general provisions of the Bill follow closely the provisions of the Elections Act 1983-1985. The reason for the adoption of this course of action is that it is abundantly in the public interest to provide a well-known and well-respected method of conducting the poll.

The provisions of the Elections Act were subject to considerable debate and scrutiny in 1983 when the White Paper on the Act was released by the Honourable Sam S. Doumany, then Minister for Justice and Attorney-General of Queensland. Two general elections have been conducted under the new legislation which repealed, but followed closely, the Elections Act 1915-1976. Additionally, a number of by-elections have also been conducted. By relying on the general provisions of the Elections Act, uncertainty, inconvenience and cost will be minimised, and I have no doubt that there will be absolute public confidence in the conduct of any referendum poll taken under this Act.

A number of particular features of the Act which demonstrate clearly the commitment of this Government to the pursuit of excellence and the development of fair and just legislative provisions are worthy of specific mention. Firstly, the Bill provides for the distribution to electors of arguments for and against the referendum proposals. Such a referendum proposal may be a Bill as is intended to occur on 14 October or may be a question which the Legislative Assembly resolves to refer to the people for an expression of their will.

The Bill provides a mechanism whereby an argument of not more than 2 000 words authorised by a majority of those members of the Legislative Assembly who voted in favour of the proposal may be presented to the chief returning officer for distribution to the electors. Similarly, an argument against the Bill, of not more than 2 000 words, authorised by a majority of members of this House who voted against the proposal may be presented to the chief returning officer.

The Bill anticipates that these arguments will be transmitted individually to each elector and also provides a mechanism whereby an alternative means may be utilised. The use of the mass media in bringing to the attention of the community the arguments for and against as presented to the chief returning officer, is a mechanism which may be adopted in appropriate circumstances.

Another feature of the Bill is that public moneys shall not be expended in furthering the "Yes" or "No" case in relation to a referendum otherwise than in the circumstances prescribed in the Bill. This provision has been drafted in a similar manner to the provisions of section 11 (4) of the Commonwealth Referendum (Machinery Provisions) Act 1984.

Finally, honourable members will note that ballot-papers are to be completed by a voter by placing a tick opposite the word "Yes" or the word "No" which will be contained on the ballot-paper.

Although the Commonwealth legislation provides for the writing of a "Yes" or "No" in response to a referendum question, New South Wales legislation, which is in my opinion more preferable, requires the voter to nominate his or her choice by placing a tick against the appropriate word contained on the ballot-paper.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr INNES (Sherwood—Leader of the Liberal Party) (12.24 p.m.): I seek leave to move a motion without notice.

Mr DEPUTY SPEAKER (Mr Row): Order! According to my professional advice, I understand that Government business takes precedence now and that it would be out of order for me to accept a motion without notice on the basis that the honourable member has proposed.

CONSTITUTION (OFFICE OF GOVERNOR) ACT AMENDMENT BILL

Second Reading

Debate resumed from 5 April (see p. 4145, vol. 311).

Mr GOSS (Logan—Leader of the Opposition) (12.25 p.m.): The Opposition supports the legislation.

Motion agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Austin, by leave, read a third time.

TRUSTEE COMPANIES ACT AND ANOTHER ACT AMENDMENT BILL

Second Reading

Debate resumed from 13 April (see p. 4689, vol. 312).

Mr INNES (Sherwood—Leader of the Liberal Party) (12.27 p.m.): The proposals, which are predominantly procedural and relate to bodies which provide a very important function in society, and have done over many years, seem sensible to the Liberal Party, and it will support them.

Motion agreed to.

Mr PREST: I rise to a point of order. I understand that the spokesman for the Opposition, Mr Wells, is caught in a lift.

Mr DEPUTY SPEAKER: Order! The point of order raised by the member for Port Curtis is that the Opposition spokesman on this legislation is caught in a lift. I do not know whether that is a valid point of order. Would the Leader of the House agree to the substitution of the next order for this order?

Debate, on motion of Mr Austin, adjourned.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from 13 April 1989 (see p. 4677, vol. 312).

Mr McELLIGOTT (Thuringowa) (12.30 p.m.): Despite the guffaws coming from Liberal Party members, I think it should be explained that the Opposition spokesman on the previous Bill is unavoidably delayed in the lifts in the Parliamentary Annexe. It is clearly not the Opposition's fault. It is totally appropriate that the House should take account of the problem and move in the way that the Leader of the House has asked us to move.

The Opposition agrees with the Minister's comments that the amendments relating to the powers of the Governor in Council and the Minister himself are appropriate and that it has always been the intention that, when exercising his powers under the Local Government Act, the Governor in Council should act on the recommendations of the Minister. However, that calls into question the basic powers of the Local Government Minister compared with the powers vested in local government itself.

Around the State at present one can cite a number of classic examples of the Minister for Local Government eroding the powers of local authorities seeking to exercise planning controls in their own local authority areas. Of course, the one that has gained considerable publicity recently is the ministerial rezoning of a project to be undertaken at Labrador by the Lewis Land Corporation. Considerable public announcements and comments have been made about that decision. Similarly, at a recent referendum, the matter of a resort development at Florence Bay on Magnetic Island off Townsville has been opposed not only by the Townsville City Council but also by 60 per cent of the population of Townsville. In this instance, the council finds itself powerless to ensure that that project does not go ahead. As it was explained to a representative of the National Party at a recent forum in Townsville, it is a relatively simple matter that, if the Queensland Government is serious about taking note of the wishes of the local community and the local council in particular, all it needs to do is withdraw from the developer its offer of Crown land at Florence Bay.

The third example I mention briefly is the Trinity Point proposal at Cairns. That proposal is being promoted apparently with the unanimous support of Cabinet and Government members, again against the clearly stated wishes of the local authority.

Although the machinery provisions that we are being asked to approve today accord with the intent of the Local Government Act, the potential conflict between the wishes of local authorities and the powers vested in the Minister remains unresolved. It seems obvious that it is the intent of this Government and of this Minister to continue to have local authorities subservient to the State with all of its powers. That is indicated further in the second part of the legislation to which I shall refer shortly.

The Opposition is very disappointed and somewhat amazed that the Bill to amend the Constitution Act of Queensland to formally recognise local government in the Constitution of this State did not appear on the business paper that was available this morning, despite the Premier's comments when introducing the original Bill that it fulfilled a commitment that he made to local authorities to formally recognise local government in the Constitution of this State and subsequent statements made by the Minister for Local Government that recognition would be forthcoming. Given those commitments, it is disappointing that that Bill has been dropped from the business paper. The Minister is indicating that that will happen. I trust that it will occur during the current session of the Parliament.

It is ironic that one of the clauses in the Bill called for consultation between the Government and local authorities. Because of the total lack of consultation with the Local Government Association of Queensland on its wording, the Bill was rejected by

the association. Of course, that is the reason why the Bill has been dropped from the business paper and why it will have to be presented again in a revised form.

Mr RANDELL: I rise to a point of order. Although I can probably address the matter later on, I would like to draw to the honourable member's attention the fact that full consultation has taken place with the Local Government Association, and that the Government will continue that consultation.

Mr DEPUTY SPEAKER: Order! I do not accept the point of order because the Minister has admitted that he will have an opportunity to address that issue at a later stage of the debate.

Mr McELLIGOTT: Thank you, Mr Deputy Speaker. I think that very clearly there was no point of order; it is a debating point.

The point that I was making and to which the Minister has an opportunity to respond is simply that there was no consultation, or at least inadequate consultation in regard to the wording of the Bill that was introduced, and that led to its being withdrawn. I am well aware that, since that time, substantial consultation has taken place on that matter. I would therefore hope that, when the Bill eventually comes before the House, it will be acceptable to the Local Government Association and, therefore, can be accepted by the House.

Moving on to the second part of the Bill that relates to the control and regulation of flammable and combustible liquids—the Minister in his speech referred to the release of a Green Paper on the proposals. I congratulate the Minister on the degree of community participation in the consideration of those proposals. I understand that the Bill incorporates the proposals set out in that Green Paper and that they were apparently well received. At the Committee stage, I shall raise again the matter of the responsibility of the Crown to be bound by the regulations to the legislation and I will move a number of amendments.

Hon. Sir WILLIAM KNOX (Nundah) (12.37 p.m.): As has been pointed out, this legislation is in two parts. The first part with which I want to deal is the validation of decisions of the Governor in Council. Over a period, I have been surprised at the number of occasions on which it has been necessary to introduce legislation to validate administrative decisions based on previous legislation. It is something about which one should not be ashamed. It would be a matter to be ashamed of if the error or omission was found and no action was taken. I commend the Government for correcting such an error. Of course, it was discovered in a civil case before the courts. Presumably, it would not otherwise have been discovered. We are talking about the issue of the Brisbane City Council versus Mainsel Investments—that is, the case involving the world's tallest building.

As to validation—the question arises as to its retrospective nature and how far back it should apply. There is always debate about whether validation should apply to the future or cover retrospective actions. In this case the validation will cover past events and will conform with the original intentions of the legislation.

Bearing in mind all matters that have been raised about this issue in recent months, the Liberal Party supports the proposed amendment.

Mr Innes interjected.

Sir WILLIAM KNOX: It may have been an error of omission or commission by many previous Ministers and not necessarily this Minister. I cannot use the unparliamentary expression that the honourable member used.

It is not accurate to say that those errors of omission or commission were intended necessarily. After all, the intention of the legislation was indicated clearly. However, human errors occur. Sometimes documents are not processed correctly and words with legal connotation are not always used when they should be used. It is inevitable that

such incidents will occur. However, when they do it is important that they are attended to promptly.

Of more importance to the community is the storage of flammable and combustible liquids. A recent television program about Sydney claimed that a relatively huge number of premises in which flammable or combustible products are claimed to be stored are not licensed or supervised by local authorities or the State Government. I hope that that is not the case in Queensland.

The Green Paper that was published on this subject highlighted some of the deficiencies in the storage of flammable or combustible liquids. Recently, several very serious fires involving those substances occurred, including two in my electorate. The consequences of such fires are rather alarming. First of all, firemen who are called to attend them do not necessarily know what they will be confronted with when they arrive on the scene. They might not even arrive with the necessary fire-fighting equipment.

One fire that occurred near my electorate produced some consequential unsatisfactory and alarming results for the community. It led to the contamination of waterways, but may have been averted if the fire brigade and other authorities had known precisely what was being stored, where it was being stored and the consequences of the application of heat or water. Sometimes water can create side-effects in fires of that nature.

Recently in Melbourne a terrible fire occurred. I understand that the relevant authorities had no knowledge of the nature of the substances that were stored in that establishment. As a result, a whole suburb was evacuated because the fire authorities had no option other than to let the fire burn out.

This city has experienced some very near serious tragedies. One of the most significant incidents that I can recall is the spillage of petroleum products from storage tanks at Newstead. As a result of the inquiry into that incident, the decision was made to move those tanks from residential areas to land along the lower reaches of the river. However, that creates new problems in these days of concern for the environment and the possibility of the contamination of waterways.

Although it has taken some time for legislation of this nature to be presented to this House, it should be supported vigorously by all honourable members. Because the legislation deals only with principles, the administrative process must flow in such a way as to create complete and adequate supervision. It is no use passing this legislation if nothing of an administrative nature flows from it to ensure that its intention is fulfilled.

I note that it is intended that the Crown will be bound. That is important. Not all legislation does that, but in this case that is significant. However, the Crown will be exempt from the licensing provisions. I take it that the Minister has in mind a way of overcoming that problem. I agree that consequential problems are associated with the Crown's being subject to local government licensing. Perhaps the Minister will explain later that the Crown intends to take some action to inform authorities—local authorities, fire brigades, police and other people—of the locations of those places that are controlled by the Crown. The Minister must bear in mind the arrangements that are made by the Government to store those pesticides which the Crown has had to seize or acquire to overcome the environmental factors that are associated with some of the pesticides that have been withdrawn from sale. No doubt, they come under the control of the Minister for Primary Industries or his department. For good reasons, the Crown has other substances in its possession for various purposes such as storage or because there is nowhere else for them to be put or because they have to be supervised by public authorities.

It is imperative that those storage places and the nature of the products are identified. There should be instituted a method of dealing with them in case of flood, fire, earthquake or whatever other natural disaster may occur. I refer to disasters such as a truck or an aeroplane smashing into a storage area. I hope the Minister will be able to tell this House what action the Crown intends to take in order that all those authorities are

alerted to where those storage places will be located and what substances will be stored in them.

This legislation is worthy of the Liberal Party's support. I trust that it will gain the support of the House.

Mr BEANLAND (Toowong) (12.47 p.m.): As has already been outlined by the honourable member for Nundah, the Liberal Party supports this legislation. In speaking to this Bill, I want to refer to a few matters. Of course, all of us know that on the coming to power of the current Premier and the current Minister for Local Government, a great deal was spoken about visions of excellence. In fact, at that stage much was said about there being no more controversial ministerial rezonings. On a number of occasions, that appeared in the newsprint of the day and was broadcast by various media outlets. The Minister set about bathing in that glory: that this was a new era to Queensland; that the visions of excellence had arrived and that the types of ministerial rezonings that had been evidenced under the previous Government would not be seen.

But what has happened over the past 18 months? We have seen a build-up to what is termed the grand-daddy, the greatest ministerial rezoning of all time in this State, that is, the 80.5 hectare Harbour Town ministerial rezoning of land at Biggera Waters on the Gold Coast, which is owned by Lewis Land Corporation. That particular ministerial rezoning was carried out not just on any day of the year, but it was approved by the Government, I understand—and the Minister can correct me if I am not correct, because he has not denied this in the press——

Mr RANDELL: I rise to a point of order. The matter to which the honourable member is referring is presently in the hands of the court and, in the public interest, I do not think any comment should be made.

Mr DEPUTY SPEAKER (Mr Row): Order! On the advice of the Minister, I rule that the matter is sub judice.

Mr BEANLAND: On your advice, Mr Deputy Speaker, I will move on to another matter. Let me say that the aspects before the court vary from the aspects that I am raising. However, I will bow to your ruling.

I turn now to the matter of the Willawong waste disposal plant. Today the Lord Mayor of Brisbane said quite clearly that, in the not-too-distant future, that plant will be closed to a number of wastes. At this stage the Government has not found an alternative location for the disposal of those wastes. There is no point in the Government's sitting around and hoping that somebody else will come up with another suitable location. This is quite a pressing matter for the Government, because without Willawong there is no other suitable site available for the disposal of toxic wastes. I appeal to the Minister to give very serious thought to this problem that confronts business and industry in this State. It is not a matter that will go away. There is no point in blaming the local authority.

For 12 months to two years it has been clearly indicated that the Willawong waste disposal plant, which has been completely upgraded in the past four to five years, will be closed. In fact, that plant is now a show-place for the city. It is not in the same condition as it was many years ago when it was well and truly on the nose and a disgrace to the city and to the Brisbane City Council. Today it is a show-place. A lot of effort has been put into upgrading it and properly disposing of the wastes that are now taken there. No longer are toxic wastes dumped there without firstly having been chemically tested and without the authorities knowing exactly what the wastes contain and how they should be disposed of. All of that has happened in recent years. There is no point in the council's going to all these lengths and the Government's not coming forward with another location for disposal of those toxic wastes. Without an alternative location, it will not be long before people dump toxic wastes anywhere. It will not be long before the wastes are in the sewerage and drainage systems, which will cause further problems down the line.

I appeal to the Minister and the Government to take urgent action. This is not a matter that will go away. The Government has to make a decision on it. That might be foreign to the Government and the Minister, but a decision has to be made on an alternative location.

In recent times, the Labor Party has said a great deal about what it will do for local authorities in Queensland. One of the proposals put forward by Labor is a clamp on the amount of rate increases that local authorities can levy. I warn local authorities and the people of this State that, just as occurred in New South Wales, local authorities in Queensland will become hidebound to Labor's dogma. Until the arrival of the Greiner Government the local authorities in that State were in all sorts of trouble and faced all sorts of problems. Some found that they could not increase their rates by the amount that they wanted to—not that local authorities increase rates in a willy-nilly fashion, because they also have to face the electors and their wrath. It has to be recognised that local authorities are democratically elected by the people and therefore ought to be allowed to govern and to dictate within the bounds of reason as set out by the various Acts of this Parliament. But not the Labor Party. It will now clamp on local authorities a limit on the level of rates that can be imposed and that will restrict completely the development that local authorities can carry out and the type of infrastructure that may be undertaken.

Of course, all honourable members would know of the problem that confronted local authorities in New South Wales when they were unable to get on with proper infrastructure development. We know, for example, the way in which the State Government in New South Wales runs the Sydney Metropolitan Board of Works and what it has done with sewage treatment in that State. It has pumped it out onto Bondi Beach. That is the type of thing that could very well happen in Queensland if local authorities have a rates clamp placed on them.

Mr Randell: You are talking about the present New South Wales Government, are you?

Mr BEANLAND: I am talking about the previous New South Wales Governments led by Mr Wran and Mr Unsworth. All honourable members would know the restrictions that were placed on local authorities, which I pointed out before. It was the coming to power of the Greiner/Murray Government that lifted those restrictions, and it is that Government that is now coming to grips with some of the major issues that confront local government in that State. Yet the Labor Party wants to put local authorities into a similar position in this State.

I now warn all local authorities of the problems that they will face. Of course, it is not ultimately the local authorities who face these problems but the people in communities throughout the State. The Big Brother attitude creeps into the Labor Party time and time again. For example, we know that members of the Labor Party have a hidden agenda and that they propose the establishment of a regional planning authority. That was mentioned on several occasions by the Leader of the Labor Party and the local candidate at the South Coast by-election. Labor Party members promoted a regional planning authority for the Gold Coast. They said over and over again that the Gold Coast City Council and the Albert Shire Council were not able to come forward with their own town-planning proposals or put in place their own town plan; that they were not to be trusted. It did not matter to them that they were elected by the people of the Gold Coast or the Albert Shire every three years. The elected representatives were not to be trusted, but the Big Brother Labor Party in power would know what to do. Members of the Labor Party would have all the answers.

That promotion was followed up recently with the coastal management authority. The chairman of the Labor Party's coastal management committee, Mr D'Arcy, emphasised on a number of occasions that the Labor Party would establish that type of body, which would dictate to all local authorities throughout the State—not just to the State Government. After all, if anybody has been the offender in relation to development of coastal areas, it would be the State Government and not local authorities. In spite of

that, the Labor Party wants to throw the baby out with the bath water and will ensure that local authorities are also caught up in that action. The Labor Party will take away from people their rights of appeal and of objection.

Time and time again the Labor Party adopts this Big Brother attitude—the attitude of "we know best"—towards local authorities, but it is the people who lose their rights to object and appeal, which would occur under a coastal management authority. For the benefit of those members of the Labor Party who are obviously not reading the newspapers, not keeping up with these issues and with what Labor Party spokesmen are saying, I point out that local authorities will find that more and more controls will be clamped on their operations by the Opposition. That occurred in relation to Brisbane Central—the 78-storey building approved by the Brisbane City Council a few days ago.

All honourable members would be aware of the problems, attitudes and actions of this Government in relation to what was originally planned to be a 107-storey building. Through public pressure and pressure applied by various members of Parliament in this House, the whole proposal was referred back to the local authority. It became too hot for the Government to handle. The local authority examined the proposal and has now approved construction of a building with 78 floors, which represents more than a 25 per cent decrease in the original size of the building. One can say that a great deal has been achieved in relation to that particular building through public pressure. The proposal has gone through the proper channels and has been examined by the local authority under the town-planning provisions, which are its responsibility. The local authority has weighed up all the considerations and ensured that the building conforms with the town-planning guide-lines. It has now correctly and properly approved a 78-storey building for that site.

Of course, the Labor Party is not content with that. It is trying to bully the council and say to the people of Brisbane, "Look, it should not have approved that building at all." One of the aldermen who is well known for making incorrect and irrelevant statements and comments that are well and truly out of order said recently, "We cannot let the development proceed because it will disrupt the city." What development does not disrupt the city? There would be no development at all if there were no disruptions to the city.

Mr Ardill: Tell us how the aldermen had a say in the decision.

Mr BEANLAND: Clearly, there will be some disruption to the city.

The Labor Party has said, "We will not tolerate this. We will stop this development in any way possible. We will get the 'world's greatest Treasurer' to refer it to the Foreign Investment Review Board." Of course, the Federal Treasurer is too worried about foreign investment coming in to pay off the foreign debt that this nation has incurred—a record foreign debt of $130-odd billion, which is increasing by millions of dollars a day.

The stage has now been reached at which the Federal Treasurer is threatening to examine the whole proposal to see whether any foreign money has been invested in it. The fact that more than half might be of Australian content has failed to register with the Labor Party, which is hell-bent on riding roughshod over local authorities and trammelling the will of the people. After all, people did have a right to object to the construction of the building. The matter was considered by all aldermen on the council—not just two or three. The matter was brought before the full membership of the Brisbane City Council.

Sitting suspended from 1 to 2.30 p.m.

Mr BEANLAND: Before the luncheon recess I was pointing out that, after a full debate in the council chamber that included all Labor and Liberal aldermen, the Brisbane City Council decided to proceed with the 78-level Brisbane Central development on the corner of Ann and Edward Streets. The council has now given approval for that development to proceed; but even so, at council, State and Federal levels, the Labor Party is trying its hardest to defy the will of the people. Even though the building meets

the requirements of the town plan in every aspect, even though there has been input from a wide cross-section of the community, and even though, following the outcry concerning the original proposal, the proposal has been reduced by some 25 per cent and is now being processed in a correct and proper manner—unlike the previous proposal—the Labor Party is making every effort to ensure that the development will not proceed. This further highlights the way in which the Labor Party acts and performs. It is not interested in business, development, progress and the creation of wealth by the general community; far from it. The Labor Party prefers to ride over the will of the people and the council. This is exactly what is happening with this development.

This Bill refers to the control and regulation of flammable liquids. For some time concerns have been expressed about vehicles loaded with flammable goods travelling through the city centre. It is not an easy task to ensure that these heavily laden vehicles do not go through the built-up areas of the city. Recently a heavy vehicle spilt its load of fuel onto the roadway in Fortitude Valley. The amendment contained in the Bill does not completely cover the point that I wish to make; but, nevertheless, it is of concern to all local authorities that heavy vehicles laden with goods are travelling through their areas. This matter may or may not come under the jurisdiction of the Minister for Local Government, but it is one that he ought to take up with the Minister for Transport, who I am sure does have jurisdiction over it. On a number of occasions the Minister has indicated that the Government will investigate the matter to see what can be done, but I notice that to date very little has been achieved. Everyone acknowledges the difficulty in trying to solve the problem of shifting flammable goods from one part of the city to another. A fireball can quickly occur if vehicles of this kind are involved in a major accident. It is fortunate that the liquid that was spilt in the incident at Fortitude Valley did not ignite or develop into a fireball and that the spill was quickly taken care of.

Recently there were two accidents in the Soviet Union and in Spain. In the Soviet Union a train exploded like a mini-atom-bomb, and a much smaller explosion occurred in Spain, although some 40 people were killed and a fireball occurred in one of the city streets. One has to be aware that these sorts of things can happen. I feel that the Government ought to be making greater efforts in this regard. No-one denies that it is a difficult situation to come to grips with, but, following discussions and appraisals of the suburbs in which these vehicles are travelling, an attempt should be made to restrict the vehicles to certain streets around the city. The position is slightly different on the major highways and freeways out of the city.

All local governments are greatly concerned about road-funding. Members of the Labor Party must hang their heads in shame because of the Federal Government cut-backs in road-funding. The effects of cut-backs in road-funding can be felt as soon as one moves out of the city into the country areas and provincial cities of this State. Even on the Gold Coast, because of cut-backs in Federal funding over a period of time, there is a lack of adequate road structures. It is alarming because it slows the traffic down immeasurably. In the last four years road-funding has been cut by $450m. Even though the Labor Party acknowledges the cut in real terms, it still pursues the story that in fact it is doing a great deal for the road network in Queensland and around the nation. That is not the case. I notice from a Minister's document that last financial year approximately $242m was allocated by the Federal Government from the fuel tax levy for road-funding in Queensland. Largely that sum goes to the State Government and then through the Main Roads Department into roads. However, roads within a local authority area—whether they are funded by the State Government through the Main Roads Department, or are subject to Federal funding under some national highways grant, or come under local authority funding—do cause major problems for local authorities. The bottom line is that local authorities end up having to wear the problem.

In a number of parts of the State local authorities are digging up shire roads. They are going out and physically digging up the bitumen and returning the roads to gravel. In the very near future local authorities will feel the pinch a great deal more.

Mr McElligott: Where?

Mr BEANLAND: That is not happening on only one or two roads. If those startled members of the Labor Party venture a little further north, they will soon find that this very thing is happening not far away from Brisbane. There is a return to gravel roads. Over and over again local authorities have reported that they are doing just that—returning bitumen roads to gravel roads.

The Labor Party is taking some $6,500m a year through the fuel tax levy and returning only $1,215m to the States. Queensland's share is some $242m. It means that for every litre of fuel sold, only 5c of the fuel tax levy is returned to the States, even though the Federal Government rakes in over 28c in the fuel tax levy. From that 28c it returns only 5c to the States.

Sales tax of 30 per cent levy is imposed on luxury goods, but the fuel levy represents a tax of over 120 per cent, and a minuscule amount is returned to the States for roadworks. Roads are the life-blood of the whole State, including local authorities. Some 80 per cent of freight and tourists are moved around on Queensland's road systems. On the one hand, tourism in Queensland is being developed—people are being encouraged to visit the State and local authorities are putting up a brave front—but on the other hand the Federal Government is trying to cut back more and more.

That is a fact. No matter how much the Federal Government tries to wrap it up in cotton wool and present it to the public, the cuts are there in real terms for all to see. If there is to be some improvement, the return to the States of the fuel tax levy needs to be increased to 8c. An increase from 5c to 7c would be only a catch-up on the real cuts to road-funding. If there is to be an improvement, the figure has to move to 8c, which would not break the Federal Government at all. It is able to find money for all sorts of other pet projects around the nation and this State; yet, when it comes to something as important as roads and moving people and freight around this State, the Labor Party is like the Arab, who folds his tent and disappears into the night.

Unfortunately, the State Government is not free from blame. Last year it cut back the subsidies for roads and drainage to local authorities from 15 per cent to 10 per cent. That is having a considerable effect on local authorities, which are feeling the pinch at every turn. I hope that the State Government finds its way clear to increase that amount back up to 15 per cent, but, like the hope that I have for the Federal Labor Party, it may be a forlorn one.

Making local authorities and the people out there at the grassroots level bear the brunt of this sort of economic policy shows no statesmanship at all. In fact, it is the coward's way out of passing the buck to someone else. That is certainly the case with road-funding in this nation. That Queenslanders are paying so much by way of a fuel tax levy into Federal Government coffers—in fact, they are simply milking cows—and receiving so little back to assist them in their everyday lives must be one of the most disgraceful and outrageous things happening in this State today. This is the sort of thing that one finds with the Labor Party across the State and the nation. This time last year the Labor Party's own State secretary said—

> "We all know that membership numbers are virtually static, branch participation is falling off and there remains a high degree of alienation and disillusionment amongst the rank and file."

Because the rank and file are feeling the effects of Federal Labor Party policies being put into action, it is little wonder that that is happening. That is filtering down to the State level, and the rank and file are now fearful of the State policies that would be implemented were the Labor Party ever to come to power in this State. If that were to happen, heaven help the State and heaven help the people and the local authorities, who will be crucified by that sort of thinking.

The member for Manly, Mr Shaw, indicated that the Labor Party cannot win at the next election. To illustrate that, I quote the following press article—

> "He said he was just one of many in Caucus who were fed up with a party dominated by people 'more concerned with personal ambition than those they serve'."

The point that people are more concerned with personal ambition than with serving the State and the local authorities and assisting the people in their everyday lives is made over and over again. Mr Shaw went on to say—

> "Labor has no chance of winning government while this total disregard for people's integrity continues."

That is the sort of thing we have found over and over again. In recent times, as more and more pressure is put on, the Labor Party has had to circulate a brochure showing Mr Goss as the leader and his team. That had to be done because the team has never been heard of. Nobody is aware of the members of the team, so they brushed them up, took a photograph and presented them to the public. What a sore and sorry lot they are! From the mouth of its own secretary, it is quite clear that the Labor Party machine is starting to fall apart. He made those statements in the press 12 months ago, and nothing has changed since then.

Quite clearly local authorities will be one group to have to bear the brunt of any Labor Party in office in this State, in the same way as local authorities and the people at the grassroots level are now bearing the brunt of Labor Party actions at the Federal level. The State Labor Party claims that interest rates are irrelevant—that they do not really count—but, through their borrowings, local authorities are also feeling the pinch of high interest rates, just as are the people at the grassroots level.

But that is not of concern to the Labor Party at all. However, it is having an effect on local authority rates. Because of the high interest rates that they are forced to pay, it is no wonder that this year and last year local authorities had to increase their rates. As interest rates increase, they are having to pay more, and additional funds have to be placed into their interest and redemption accounts to pay off their debts. Because of these high-interest-rate, jackboot policies that come from Mr Keating and Mr Hawke at the Federal level, local authorities are feeling the pinch in the same way as everyone else in the community is. That is not what people want at the grassroots local authority level.

At the moment people are having their say and are very concerned. The expressions coming forward from local authorities indicate that they do not want anything to do with regional planning, coastal management plans and so forth and that they are quite happy to co-operate with the State Government task force to reach some agreement, but local authority people want to ensure that the authority and the democratic rights that are expressed through town-planning processes remain with local authorities, remain with the people at the grassroots level, so that democracy can still prosper in this State.

Mr BURNS (Lytton—Deputy Leader of the Opposition) (2.44 p.m.): After the last speech, we know that the coalition is back in place and that the National Party will dominate any coalition if, in fact, it is returned to Government. The member for Toowong spent all his time on his knees bowing and scraping to the National Party and giving the Labor Party a serve. So we now know that the Liberals are back to the old days. At the moment they have 11 members in the House. In the days when blokes like Gordon Chalk were leading the Liberal Party, even though he got 31 per cent, he could not get the numbers in this place. Today's Liberals have made up their mind that they are defeated so they are back on their knees crawling back to the ministerial leather.

Today, the honourable member for Toowong was down on his knees giving the Labor Party a serve and asking the National Party to pat him on the head for being such a good fellow by giving him a Ministry if it ever gets back into Government.

I wish to talk about the world's tallest building and the world's greatest-travelling Lord Mayor and the money that she has spent in jazzing around the world at ratepayers' expense, thus increasing rates in Brisbane. I will talk about the Liberal Party's performance in Parliament.

The Liberal Party, through the Lord Mayor in the council, has decided that high-rise buildings should be constructed throughout the inner-city area. I have never heard it talk about traffic and how all the extra cars will travel into and out of the city. At 8.30 in the morning, because of the traffic jam created by vehicles from outer suburbs, I cannot get on the freeway. The Lord Mayor has not told the honourable member for Toowong that, in the last fortnight, the Main Roads Department and council engineers have discussed closing on-ramps onto the freeways in the mornings and afternoons in the future so that people in inner-city areas and inner suburbs cannot get into the city on the freeway. The long-term plan of the council is that motorists from Logan City and the Gold Coast will be able to use the freeway, but the ramps for inner-city people and the people who live in the metropolitan area will be closed. The honourable member cannot deny that; it is a matter of fact. It was reported to me by aldermen in the council.

The Liberal Party has agreed to wipe all the citizens of Brisbane from using the freeway system. It is talking about high-rise buildings of 70 storeys or 90 storeys. Once the council grants approval for one high-rise building, other people will ask for similar approvals. If the council grants an approval for one project, how will it argue that a person in the next block is not entitled to the same commercial decision and the same commercial treatment as the Liberal Party has given in the initial case?

We will experience what has occurred in most cities around the world. In Japan, if one travels from Narita airport to the city, one sees dirty, foul and polluted freeways, black with smog and soot, overloaded with traffic and with poor, second-grade housing adjacent to them. Brisbane's inner suburbs such as Paddington, Toowong and Rosalie are lovely suburbs. With Route 20 and the Hale Street ring road, the council will allow cars to take control over city streets and push citizens into the back blocks. The Liberal Party considers that ordinary citizens travelling to work do not count; cars and profit do. It is concerned only with making profit. I agree that people must make a profit, but it is about time that, when surveys are carried out, the cost to the community is assessed. When a peaceful suburban community is destroyed and a subarterial road is built—they are substandard arterial roads—through a residential area, the living standard of the area is downgraded, the property values are downgraded and the safety requirements are downgraded. When a major road is built near a school, children are not safe travelling to school. The Liberal Party and the Main Roads Department have built arterial roads past schools and more traffic is being directed onto those roads.

The Minister for Main Roads and the Liberal Party have done nothing about traffic generation past schools in the suburbs of Brisbane. The city council permits high-rise buildings that are designed for thousands of people, who drive into the city in the morning and return to their homes in the afternoon.

Mr Beanland: Roy Harvey could talk about that.

Mr BURNS: I have not visited the honourable member's electorate. I would be only too pleased to talk to the people in his electorate about the traffic and what he did for them when he was Deputy Mayor and what he has done since he has been in Parliament. He has said that he wants high-rise buildings and he wants the city area to have more development. He has not planned for regional office centres or done something about public transport.

The honourable member has done nothing about establishing bikeways. The Labor city council had a plan for bikeways throughout the city, yet the Liberal city council has done nothing about it. When the local bike people asked for bikes to be allowed to be carried on trains, the Liberal Party was not interested in helping. The Transport Minister stated that bikes cannot be taken on trains. Places such as Tokyo, Los Angeles and Melbourne, which have larger populations than Brisbane, have bikeways and allow

bikes to be carried on trains. Why cannot children who must travel to school on busy roads be protected by the provision of bikeways to the railway stations and be allowed to carry their bikes on the trains to the next station?

Mr Hamill: We'll do it.

Mr BURNS: After the election, the Labor Party will do it.

The point is that bikeways to schools and to the workplace should have been provided. It is a sensible extension of planning to take account of the greenhouse effect. Everybody talks about the greenhouse effect. We are supposed to reduce gas emission and the number of cars on the roads. In his speech, the member for Toowong made no statement about public transport. He is not interested in the public. He is only interested in people who own Jaguars, Rovers or Volvos. What about the ordinary person who does not want, or cannot afford, to drive a car to work every day? Some people cannot afford the parking fees that the council charges. What about those people?

In the Valley, the Brisbane City Council has increased parking fees from 60c to $1 and then from $1 to $2 in the side streets around the gasworks and around Teneriffe. It costs a worker $10 a week to park a car. That is how the Liberal Party looks after the car-drivers. They are being charged $500 a year for parking, yet the honourable member for Toowong talks about saving a cent on their petrol. He is not fair dinkum. He is only interested in sniffing his way back into the coalition. He is not interested in reducing the greenhouse effect or dealing with the problems of this city.

If the Liberal Party continues to permit high-rise buildings in the city and continues to ask workers to drive into the city to those high-rise buildings, roads and parking stations must be built for them. The people along those routes will suffer from air pollution, noise pollution and all the other adverse effects of cars. Whether the honourable member likes it or not, that is a fact of life.

Honourable members should visit Los Angeles and see the freeway systems that were built there 20 years ago, which they would like to scrap tomorrow. Honourable members should visit Japan and talk to people there about the motorway systems that are being brought in there now because they do not like the inner-city freeway systems that are presently there. If honourable members talk to people from around the world, they will realise that the reason why people who live on Route 20 and Hale Street are complaining is that they can see the beautiful, quiet, leafy suburbs in which they reside being destroyed as the council and the Government get together to widen streets, to improve bridges and to make speedways through those areas. It is unfortunate that some of that work will have to be done; there is no doubt about that. However, I think that consultation must take place, and I believe that town-planners will have to start ensuring that workplaces are situated outside towns.

One of the provisions of this Bill relates to the transport of flammable liquids. There is an oil refinery in my electorate. Two or three years ago, before the last election, this Government called tenders to pump by pipeline the fuel from the Ampol oil refinery and the refinery on the other side of the river to Beenleigh and to Toowoomba. The idea was that it would be pumped out of the town by pipeline, that there would be fuel depots at Beenleigh and Toowoomba and that there would be a distribution system from there. The same was to apply on the north side.

I know that tenders were called, and I know that companies expressed interest. Big companies such as Transfield spent a lot of time designing pipelines to take that fuel away. That is the way to stop fuel being carted on the streets of the city, not by arguing about bringing in a $900 fine or something like that. If the fuel is pumped through those pipelines out to Beenleigh, then it does not have to travel through the suburbs of Brisbane.

Three or four years ago the Government called tenders for that work to be done, and nothing ever happened to the tenders. I want to know why. What lobby got in there? Who left the paper bag on the counter when that particular decision was made?

Somewhere along the line, after the plans were drawn up and tenders were called, the Government did not go ahead with the job.

As more and more fuel is sold, more and more trucks have to come to the Ampol refinery and pick it up. As this Government over the years has relieved road transport of some of its responsibility, less and less fuel has been carted on the trains and more and more fuel has been carted by truck. Honourable members should see the jobbers that pour down Lytton Road every day at 80 and 100 miles an hour. I do not know how much fuel those big tankers carry. If honourable members saw those tankers pouring down Lytton Road every morning past the schoolkids in the peak hour traffic, they would ask themselves, "Why didn't they put that pipeline system in? Why didn't the Government accept those tenders at the time? If the tenders were not acceptable, why didn't the Government call tenders again?" I can tell honourable members why. Someone got to the Government. Someone stopped the system.

Advice has just been given to me that fuel oil is pumped from Townsville Harbour to the Yabulu nickel refinery. If it can be done at Yabulu, why can it not be done from Ampol out to Beenleigh or from the old Amoco refinery, which is now the BP refinery, on the other side of the river up to Caboolture and beyond? That would ensure that none of that fuel oil has to go through the town. Dozens and dozens of New South Wales transports are coming either to the south side of the river to Ampol or to the other refinery across the river and carting fuel all the way over the border. They are going down through the heavily trafficked roads, the tourist roads and so on. There does not seem to be any sense at all in that proposal.

It seems to me that one way of taking fuel out of Surfers Paradise would be to send it out to the old Ernest Junction area via a fuel line down the railway line system. The fuel storage tanks could be put in that industrial area, away from the city and the residents. It is a way of removing some of the traffic on the roads. My kids went to school at the old Surfers Paradise State School. I note that the member who represents Surfers Paradise is in the Chamber. There is no worse traffic today than that in the main street of Surfers Paradise. The increase in the traffic in the last 10 years in Surfers Paradise is unreal, and it will not get any better unless the Government does something about rerouting this heavy transport around that city.

People want to drive through Surfers Paradise, and the Government is not going to stop them. That is a problem at the Lytton refinery. A good, major road—Lytton Road—runs up the hill through Colmslie to take the major transports. However, it is the man who puts his backside on the seat who makes the determination where a truck will go, and if he decides to travel through a quiet, suburban street, there is nothing the Government can do unless it starts to bring in regulations and laws saying that he cannot do that.

I am a supporter of the idea of traffic-calming. I think that something has to be done about reducing speeds or making it more difficult for heavy transport to travel through certain areas. I am terribly heavy-footed. I have lost my nine points and my licence so regularly, it is just a matter of form going along to see the police about it. I am not a slow driver, and I do not claim to be a slow driver. However, I do say that all drivers who are in a hurry—and undoubtedly they are the dangerous ones—will avoid the slow streets and the areas that are difficult to manoeuvre through.

Sometimes I think that road engineers are designing straight stretches of road so that people can go fast and they are creating more and more problems for the public. At the end of the year, when one reads the list of those killed on the roads, one finds that a far greater number of people are killed on the straight roads in country areas than are killed in some of the inner- suburban areas. The statistics prove that.

I wonder about some of the studies conducted by the Main Roads Department and the council. What they do is predict the number of cars and heavy transports that will use an area in the future and then build the road to suit those cars and heavy transports, instead of saying, "We don't want them all through this area." They always seem to be

able to assess the petrol that will be needed and the time that will be taken by a truck to go from one place to another.

The classic example is the estimates of the Transport Department and the Main Roads Department in relation to the Gateway Bridge. We were told that as soon as the Gateway Bridge was built, the big trucks would no longer go through the Valley. Have honourable members been through the Valley lately? They could get run over by the big trucks, two and three abreast, coming up the road. What happened? All the predictions of the traffic engineers and the other experts were wrong. No-one can tell me that the $7.50 toll is too much for the truck-drivers to pay. I do not think it is the toll that is stopping the big trucks from using the Gateway Bridge. They have a certain number of trips to do each day and the extra few minutes they are going to save by going across the Gateway Bridge are not enough to make it worth while. In addition, I do not think that some of those heaps are capable of travelling over the Gateway Bridge. I would like to test them out. I reckon that some of them would never make it.

Mr Vaughan interjected.

Mr BURNS: The black smoke and the fumes that pour out of their exhausts makes one wonder if they are efficient in any way. There is no doubt that they are far from efficient.

Mr Davis: There was political interference with the New Farm bridge.

Mr BURNS: I accept that there was political interference to get rid of it.

I was told that recently the Main Roads Department and the Brisbane City Council engineers got together and talked about another New Farm bridge from the powerhouse across to Norman Park. They are talking about a bridge at West End and a number of other bridges across the Brisbane River. All of that is designed to bring more cars into the city. I think that that is wrong. I know that Brisbane's population growth is beginning to dwindle. When a city's population reaches the size of Brisbane's present population and when development reaches the stage it has reached in Brisbane, I think that far more consideration ought to be given to public transport. The Brisbane City Council incurs big losses on its bus services. However, consideration should be given to the extension of the electric train service in the metropolitan area.

Mr Davis: That was in the Wilbur-Smith report.

Mr BURNS: The Wilbur-Smith report contained a proposal for a railway line along the Brisbane River. If the Wilbur-Smith report was implemented, instead of a freeway there would be a railway line.

I argue that the proposed tallest building will increase air pollution in this city. It will increase the ugliness that traffic brings as well as the number of traffic lights. The more impatient motorists will not be satisfied with that. As I am an impatient motorist, I know that I try to get away from a traffic light as quickly as I can. That results in more noise and more pollution.

People choose to live in the inner suburbs of this city because they are beautiful and quiet. An increasing number of those people in inner city areas use the public transport system. I believe that we ought to look again at Route 20. We ought to look again at the proposed route along Hale Street. We ought to look again at those decisions that seem to be sentencing Brisbane to a high-rise centre and this great outpouring of traffic through residential areas during the day and night to the detriment of the people who live there. The increased traffic is threatening children at schools. No action has been taken to protect them, such as the provision of new parking areas or off-loading areas at schoolgrounds. Although all those suggestions have been talked about, very little has been done about them. All of those issues should be considered before we increase the traffic density in the city, which, in the eighties, is starting to jam up as the volume of traffic increases.

Mr COMBEN (Windsor) (3.04 p.m.): The Local Government Act Amendment Bill has as one of its prime considerations the storage of combustible and flammable substances. Whilst Opposition members agree with the direction of the Bill, it needs to go a lot further. Tom Burns outlined the Opposition's solutions. He gave the reasons why the refinery at the river mouth should be moved to another area and told honourable members why tankers should be removed from the roads.

The legislation is noted for its lack of consideration of pollution issues, especially the disposal of toxic and hazardous waste in this State. A Statewide strategy is needed for the production, transportation, control and disposal of toxic and hazardous waste. This Government has been singularly negligent in trying to produce an overall strategy. At present in this State, any toxic and hazardous wastes—by-products of normal industry—can be disposed of in the Brisbane city area at Willawong. If one travels anywhere else in this State, where are such wastes disposed of? They are dumped in the local creek, in the rivers, out in the bush, down the local mine-shaft or into local quarries. Wherever industry operates in this State——

Mr Randell: Can you tell me anywhere in the State where you could put hazardous waste material that you would not be out there protesting about it—anywhere in the State of Queensland?

Mr Burns interjected.

Mr COMBEN: The Minister interjected on me. The honourable member had finished.

Mr Burns: There is a cane farm outside Sarina.

Mr COMBEN: We have in mind a certain site outside Sarina. Rather, I think that the Minister should be telling us where in this State outside of Brisbane one can legitimately get rid of toxic and hazardous waste. There is no disposal point outside the city. In Mackay, where does the tin-plating works get rid of its by-products?

Mr Burns: Or the power alcohol.

Mr COMBEN: Or the power alcohol? It is put into the creeks. All of those substances are illegally disposed of, because the Government has provided no legal disposal point.

Mr Randell: You have not answered my question. Where in the State of Queensland would you let us put a site? You can criticise. Come up with something constructive.

Mr COMBEN: If the Minister does not have any answers, we will take over his portfolio in November and provide him with the answers then.

Mr Hamill: He didn't have too many answers on *60 Minutes* the other night.

Mr COMBEN: No, he did not.

Mr Hamill interjected.

Mr DEPUTY SPEAKER (Mr Booth): Order! There is far too much conversation in the Chamber.

Mr COMBEN: Queensland lacks a strategy for the disposal of toxic waste. Probably a dozen sites outside of Brisbane are waiting to become new Diamond Streets. Wherever industry is carried on outside of Brisbane, no proper disposal facilities are provided. The local truckie is told, "Take that 44. Put it on the back of the truck and get rid of it." Precisely the same thing is happening outside of Townsville, Mackay and possibly Cairns——

Mr Ardill: And outside the Gold Coast.

Mr COMBEN: And outside the Gold Coast, as happened down at Springwood.

The site of Diamond Street used to be a nice little gold mine for a while. A couple of small dams were located in the area. As the southern outskirts of the city started to expand, before Willawong was properly established and whilst fees were still imposed, local truckies were told, "Get rid of it, mate." So they asked their mate, who also drove a truck. They were told about this nice little dam down at Springwood. The truckie would go there with his truck, back it up to the dam and push the 44-gallon drum off the back. He hoped that he never saw it again. Such practices are still occurring throughout this State.

Dinmore was named in the 1974 Co-ordinator-General's report as being a dump site for toxic and hazardous waste. The chemicals being dumped there were not treated in any way. They were dumped down a mine shaft, which cannot now be found. I am not sure that the Minister knows where it is.

Mr Hamill: He wouldn't know where Dinmore is.

Mr COMBEN: No. It is in Queensland, is it not?

If one were to go into the provincial cities of Queensland and ask, "Where are you getting rid of this stuff?", the poor old health-surveyors would say, "Find it for us. We can tell you it is going into the local creek. We know it is going off the back of trucks, but there is no overall strategy."

I can hear the Liberal members laughing. What is happening in Mount Isa? What is being done with the waste in Mount Isa?

Mr Beard: There are plenty of solutions there; no worries.

Mr COMBEN: In Government the Liberals have not addressed the problem.

This Bill should be addressing the pollution that is caused by toxic and hazardous waste disposal. This Government should be considering a three-pronged attack for a Statewide strategy. A system of regionalised liquid-waste dumps that are prepared to take toxic and hazardous waste should be established and modelled on the Willawong example. The control exercised there by the city chemist, Bill Razell, is excellent. The trouble is that, because the system is not regionalised, it goes nowhere else.

Queensland needs regionalised liquid-waste dumps. One should be established outside Brisbane to service the whole of the south-east corner of the State, one should be established outside Gladstone or Rockhampton and another outside Townsville. The Minister has challenged the Labor Party to find a suitable site for a toxic-waste dump.

If the Government is creative and really does its job, it will go to local authorities and the people of the regions and say, "Where can we locate this? It is going to mean some money and jobs to you locally. There is sure to be an appropriate site that has the right geological formation that is away from residences. If you can find us a site, you can have it."

Instead of that, this Government does the sort of thing that occurred at Redbank. The Government said, "Righto. No-one will take any notice. We will put it here." That site is flood-prone, geologically unstable and close to local residences and schools. The Government now says, "Why is everybody complaining? Wherever we put a dump we get complaints." If the Government had investigated a range of sites and found a site underneath the escarpment at Cunningham's Gap or somewhere like that, which is isolated and geologically stable, it would have received no argument; people would have accepted it. However, this Government is so paranoid about talking to people that it will not consider overall strategies.

A regionalised policy is the first point that must be considered in pollution control and the disposal of toxic and hazardous waste in this State. Secondly, a user-pays policy is needed so that the public does not have to foot the bill. The people who dispose of those products should be required to pay for that disposal.

A State system of licensing is required. The producer of toxic and hazardous material should be licensed to produce that material. The transporter of the material should be

licensed to carry it and should be required to produce a docket showing that he picked up an amount of product and took it to an approved site for disposal, and a licence should be required for the storage of that product.

Stiff penalties for pollution are needed. If necessary, people who illegally dump toxic and hazardous waste should be imprisoned. A couple of years ago in this House I raised this subject and, as usual, I was shouted down by members of the Government who said, "You cannot start imprisoning people for polluting."

Electors everywhere in Queensland are saying, "If you are going to destroy the environment, firstly, you should pay and, secondly, you should pay with your own liberty if you are going to continue to dump waste and pollute our environment."

This Government claims that it has led the way by introducing the stiffest penalties of any that are imposed for pollution anywhere in Australia as well as having the ability to imprison company-directors if their companies continue to breach pollution laws. That is the way that it should be. Realistic fines must be introduced.

Mr Davis: Then they wouldn't have a National Party conference.

Mr COMBEN: No.

I turn now to the Clean Waters Act. During the 16 years when the Act was under the control of the Local Government Department not one successful prosecution was launched.

Mr Randell: What has that got to do with this Bill?

Mr COMBEN: I am talking about local government's control of pollution in this State.

Mr Elliott: Are you about to foreshadow an amendment?

Mr COMBEN: No, I am not, because there is no hope of this Government's adopting anything that would mean that this State would have a decent environment—whether it be looking after the furry animals of this State——

Mr Elliott: Like you?

Mr Hamill: He has got a soft spot for numbats.

Mr COMBEN: I was going to say "bald eagles".

This Government has no hope of doing anything about looking after the national park estate and raising the percentage of the State that is devoted to national parks from 2 per cent to 5 per cent or controlling pollution. That is one of the major reasons why this State will see a change of Government later this year.

This Government is in crisis constantly. At present it cannot manage anything. Have honourable members seen the chimney at the Royal Brisbane Hospital lately? The Government cannot even stop that chimney from smoking.

I turn now to some of the matters that Tom Burns raised in rebuttal of comments by the honourable member for Toowong, Mr Denver Beanland, who has now left the Chamber.

Mr Randell: Have they broken the coalition with you?

Mr COMBEN: We have no coalition with them.

Mr Beard: He asked us but we knocked him back.

Mr COMBEN: No, a man draws a line somewhere. I believe that it is a bit above those fellows.

The Labor Party has solidarity. Is it still true that there are more Liberals on the National Party's side of the House than there are on the Liberal Party's back bench? The Liberal Party cannot even form a cricket team.

Mr Burns: Where has "Mrs Aspley" gone? Where has Bob Moore gone?

Mr COMBEN: Mansfield, too.

Mr Burns: Where is Don Lane—one of your favourite sons-in-law? If you'll parade a few of your past members, we'll give you a couple.

Mr COMBEN: That is a good speech, Tom.

Much is heard from the Liberals about their environmental concern. These days the Liberals even have a conservation and environment policy printed on rewrite 100 per cent recycled paper.

Mr Hamill: They are recycled ideas, too.

Mr COMBEN: Yes, they certainly are. In some parts the Liberals' policy is exactly the same as that of the Labor Party, as well as one or two other policies. One can actually read three different policies from which the Liberals lifted their policy. As I was saying, it was sent to me on photocopy paper. It is a great recycled paper system.

Mr Gygar: You want to get your contacts to install rewrite in your photocopier.

Mr COMBEN: One of the honourable member's colleagues sent it to me. The Liberals profess to care so much for the environment, yet Mr Gygar, as a typical inner-city member, is still not addressing the problems that really should be addressed in Bills such as this.

As Tom Burns has already said, the problems in relation to traffic are not being addressed. At present the city council is not addressing problems and their solutions in relation to our beautiful creek system throughout Brisbane. The council is looked to for engineering solutions. I live on the banks of Kedron Brook, which should be a beautiful wildlife corridor. But the city council treats it as an open drain. Recently it even used a bulldozer to shear off all the grass and make nice, rounded banks on an area of the brook where the poor old ducks were nesting. Even the poor old ducks were moved out of their houses. That is the sort of concern that is shown by the Liberals.

Mr Burns: Most of those old ducks vote Liberal, too.

Mr COMBEN: Not in the Windsor electorate, they do not. They might in the Stafford electorate.

Mr Beard: I have a lot of time for the old ducks, too.

Mr COMBEN: I will get the honourable member's interjection into *Hansard.* I heard that he puts a lot of time and things into the old ducks.

Mr DEPUTY SPEAKER (Mr Booth): Order! I would like the honourable member to return to the Bill.

Mr COMBEN: Yes, I will return to the Bill and refer to the problems of pollution around the city which are generated by the Liberal council and not addressed in this Bill.

I refer to the inner-city suburbs and the problems of rat running and other problems associated with traffic. My own electorate and nearby areas experience the problems associated with Route 20, which will destroy a set of houses in Wardell Street. It will even destroy the Enoggera memorial hall, a historic hall which has been in situ for 60-odd years and which was part of the original Enoggera State School. It will create a massive barrier between the residential areas serving the Enoggera State School and the State school itself. Our kids will be splattered on the road every day as they try to cross Route 20.

The widenings that have been carried out in Enoggera Road have already taken two lines of trees. Notice has also been given that part of Sedgley Park will be destroyed.

What does our city council say about planting trees as a buffer zone? "Sorry, we haven't got any trees and we are not going to be serving that area."

Mr Gygar: With Bob Hawke planting them at the rate of 72 a minute from now through until the year 2000, there will be plenty of trees.

Mr COMBEN: I read that the honourable member would endorse the tree-planting being undertaken by Bob Hawke. The honourable member is trying to cash in on the initiatives of Richardson and Hawke.

Problems also exist in Hale Street. Along came a council that killed one of our parish priests, the poor old father at Christ Church, Milton. Because the city council was going to disrupt the graves at that church and disinter the bodies, the poor old parish priest died of a heart attack. Now the council intends to move older people along Hale Street. There are no plans as to where the traffic will go. The engineering solution is to widen Hale Street, forget about the people, put in a freeway and allow the traffic to zoom along it. Then answers do not have to be given about where the traffic is going. They are the solutions which this council provides.

Again in my local area, along the banks of Kedron Brook, a nice little council depot is about to be vacated. What is found? Is it a nice bit of parkland with plants and rainforest, with the Grange progress association continuing with its tree-planting along Kedron Brook? Instead of that, this council, this Liberal administration, will be developing that area as five residential subdivisions for individual houses. The blocks of land will be 32 perches in size and will cost $80,000 each. It is a short-sighted solution to start paying for some of "Salaryanne's" wages.

In my inner-city area some creative thinking is needed. My colleague the member for Ipswich and my aldermanic friend and colleague in Windsor, David Hinchliffe, have suggested some traffic-calming solutions, which have been reported in the press. Those sorts of solutions need to be considered in an endeavour to get the traffic out of the local areas and to have main roads instead of freeways. Some real solutions are needed. The solutions that are being proposed by the Liberal Party—proposals that are all about engineering and trying to find some rational answer without caring about where people go—are not needed.

This Bill, as far as it goes, is supported by the Opposition, but it should contain matters relevant to pollution in this State and where toxic and hazardous wastes can be disposed of. It should also refer to the range of problems associated with local government, especially the Brisbane City Council and the City of Brisbane Act. The Opposition would certainly be supporting this Bill more strenuously if the legislation was going in those directions, and if we had a decent Government. But what the Minister leaves us in the Opposition is just a bit more work to be done in November when we take over. We are sorry about that, because there will be a lot of work to be done, especially in setting up a Statewide pollution control strategy and dealing with a variety of other matters that come under the Minister's portfolio.

Mr Casey: Talking of pollution—it will get the smell of the National Party out of the system.

Mr COMBEN: Yes, that is right. I do not know that the Labor Party has a legislative basis for doing that, but I think Mr Drummond and a few other people will be trying to help it in that matter.

Hon. J. H. RANDELL (Mirani—Minister for Local Government and Racing) (3.22 p.m.), in reply: I thank all honourable members for their contributions to this debate. There is no doubt that some made a far better contribution than others. The last speaker wanders around the stars, and I wonder where he goes to.

In response to the contributions made by the honourable member for Thuringowa and the honourable member for Toowong, I point out that my attitude to ministerial rezonings is well known and has been documented publicly on several occasions. All

applications are, and will be, judged on their merits. That subject is not relevant to the provisions of the Bill currently before the House, and I do not intend to dwell upon it any further.

The honourable member for Thuringowa touched also on the constitutional recognition of local government. In spite of his claim to the contrary, there has been considerable consultation between my department and the Queensland Local Government Association. It is the intention of this Government to introduce another Bill in this area as soon as possible. My department and I are having close discussions and consultation with the relevant official from the association. I expect that another Bill, which will be very relevant to the situation as we know it, will be brought forward very shortly.

Mr McElligott: Who messed it up the first time?

Mr RANDELL: There was no messing up about it.

Mr McElligott: Why is it necessary to bring in another Bill?

Mr RANDELL: We are just going to refine it a bit more. The principles to be spelt out in that Bill will be far superior to any other legislation of its type in Australia.

I draw to the attention of the member for Nundah that retrospectivity does not arise in this Bill. In fact, it was the subject of previous legislation titled the Constitution (Executive Actions Validity) Act 1988, which was fully debated in this Chamber when the reasons for retrospectivity were explained. As I explained in my second-reading speech, this Bill simply brings the relevant provision of the Local Government Act into conformity with other Acts. Essentially, it is a house-keeping amendment.

The honourable member for Nundah also expressed concern about the licensing and location of dangerous substances. Legislation to deal with the matter he raised is currently, and has been for some time, under consideration. It will provide for the local authority to be the central point of its area for information relating to the storage of dangerous substances. That information will be readily available from the local authority to all emergency services. It is intended at this stage that information relating to all storages—the honourable member for Thuringowa should listen to this, because he asked me about it—on Crown premises will be part of this information system in the same manner as that adopted for private storage. I inform the honourable member that it will be mandatory for the Crown to provide all that information to the relevant local authority, no matter where the substance is stored. It will be mandatory for Crown instrumentalities also to provide that information to the relevant local authority.

I was intrigued to hear the honourable member for Toowong make his impassioned plea for replacement of the waste disposal facility at Willawong. If he is as concerned as he made out, he would be well aware that the Government has been actively looking for a site. I am confident that this matter will be settled in the near future. It is typical of members of the Liberal Party to criticise and say that something should be done; that someone should do something. However, I have never heard them come up with anything constructive. I issue an invitation to the honourable member: if he has something constructive to say now or a constructive proposal to put in relation to a site, I would be willing to listen to him.

Mr Beanland: You are not capable of doing it with your staff, obviously, so I will do it. Don't worry about it.

Mr RANDELL: I have listened to the honourable member. I have been a member of this Parliament for nine years and I have listened to members of the Liberal Party during that time. It is certainly true that Liberal Party members have never come up with anything constructive. They sit on the fence and talk in a pompous way about what should be done, but they never offer anything constructive. The member for Toowong has one foot on each side of the fence. He uses one to keep in touch with the Brisbane City Council and the other to keep in touch with other organisations. It can become very, very uncomfortable.

Mr Innes: How much money have you got from——

Mr RANDELL: I invite the honourable Leader of the Liberal Party to come back to Mackay any time he likes. Our ratings go up every time he sets foot among the farmers. He only has to speak to them to bring about a large increase in the National Party's voting power. I invite him to come up any time he likes.

I cannot allow the former Deputy Mayor of this city to get away with his assertion in relation to the matter of the Mainsel building—that it was handed back to the council because the Government found it too hard to handle. In fact, it was the council administration, of which he was a leading hand, which shied like a frightened horse when confronted with the concept of the world's tallest building. The matter was adjudicated by the Supreme Court and I am sure that the honourable member is well aware that it was taken to court by the Brisbane City Council. He knows the rest.

Most of the comments made by the honourable member for Lytton should be responded to by the Brisbane City Council, the Lord Mayor or the member for Toowong. There seems to be a fight going on. It looks as though the coalition on the Opposition side of the House has busted up. I do not know why.

Mr Clauson: Temporarily.

Mr RANDELL: Temporarily. I think members of the Labor Party just cannot stand members of the Liberal Party, but they want to put them back on their side somewhere along the line. Most honourable members would know that the members of the Liberal Party vote with the Opposition all the time. As far as members of the National Party are concerned, Liberal Party members can stay with the Opposition, and good riddance.

Mr Beard: I will name six free-enterprise Bills when the Government voted with Labor and we voted by ourselves.

Mr RANDELL: My goodness.

Mr DEPUTY SPEAKER (Mr Booth): Order! The honourable member for Mount Isa!

Mr RANDELL: I wonder if he needs medical attention. He is going very red in the face.

Mr Beard: I get cranky when you call yourselves "free enterprise" and you vote with Labor.

Mr RANDELL: The honourable member should stay on the Opposition side of the House because he will be there next year, and the year after that. I very much doubt that he will be back in this House after the next election because he has a formidable opponent in his electorate. The National Party will certainly have a good opponent, too. It is about time that the Liberal Party got back on course and assisted the National Party in going for the real enemy.

The member for Lytton referred to a wide variety of matters which, unfortunately, have nothing to do with the provisions of the Bill. The legislation does not deal with the transportation of flammable and combustible liquids on the roads; nor does it deal with freeways or State schools. As the honourable member should know, the transportation of flammable or combustible liquids on roads is dealt with under the Traffic Act. My department has no knowledge of the pipeline proposal referred to by the honourable member.

I come to the last speaker, who was really a lulu. The honourable member for Windsor, Mr Comben, spoke about waste disposal. There is no doubt that waste disposal is a huge problem. It is easy to say that the Government should do something about it. Everyone gets upset and says, "Yes, the Government should do something", but never do I hear anything constructive. Never do I hear, "This would make a good site", or, "That would make a good site." I would be willing to bet that when the Government

does select a site, no matter where it is, the honourable member will be there—not on a horse, because he got lost the last time—and he will probably lie down in front of a dozer and say, "It shouldn't be here." If the honourable member was honest with himself, he would look in the mirror in the morning and realise that he is endeavouring to score political points in relation to this issue. The site has to be close enough to ensure that it is used. If the site is not close enough, the people who are transporting the waste will dump it wherever they can. The site cannot be situated too far away; otherwise the cost of transportation is too high. The honourable member is aware of that. The Government is making a genuine effort to find a site in Queensland that is safe.

Mr Comben: It's got to be central. You don't want one south of the border. You want them in Townsville, Gladstone and other places.

Mr RANDELL: The sites must be located in places that people can reach. It is no good having a site 100 miles away that people will not use. I would be remiss if I did not say that. I thank all honourable members for their contributions.

Motion agreed to.

Committee

Hon. J. H. Randell (Mirani—Minister for Local Government and Racing) in charge of the Bill.

Clauses 1 to 10, as read, agreed to.

Clause 11—

Mr McELLIGOTT (3.33 p.m.): I seek your guidance, Mr Temporary Chairman. I particularly wish to speak on new subsections (8), (9) and (10) proposed to be inserted by clause 11. Shall I deal with them separately, or go on to debate proposed new subsection (8)?

The TEMPORARY CHAIRMAN (Mr Beanland): The honourable member can debate proposed new subsection (8). It is all part of the same item.

Mr McELLIGOTT: Proposed new subsection (8), which is to be inserted by clause 11, raises the question of the responsibility of the Crown to comply with local government regulations. This involves an important matter of principle that has been debated within local government circles for many years. Today there is an opportunity to test the resolve of this Minister and this Government on the matter.

The honourable member for Nundah stated that he understood that there could be some problems associated with the Crown's obtaining licences from councils. I am not sure what problems he is referring to, but it seems to me that there must be ways around that problem, if in fact it exists.

This Bill is typical of so many aspects of public administration in Queensland where the State Government gives local government the responsibility to control various activities, but then ties its hands behind its back by deleting the Crown and Crown instrumentalities from the responsibilities of local government. If this Government is serious about controlling flammable and combustible liquids, it is essential that the Crown comply with the requirements of local authorities.

In addition to the principle that is involved, there appears to be a massive waste of the competence and expertise that exists in local authorities in Queensland. These days most local governments comprise very competent officials. They have a considerable storage of information and all the procedures necessary to control activities of this kind, yet the Government introduces legislation that immediately excludes the Crown from its provisions.

In my opinion proposed new subsection (9) makes it even worse by extending that provision to any statutory body, board or authority which shall be deemed to represent the Crown. Some years ago there was conflict between the Townsville Hospital Board

and the Townsville City Council concerning a massive chimney structure that the board proposed to erect. The Townsville City Council rejected the proposal, but the hospital board took the matter to the Supreme Court on the basis that it in fact represented the Crown. The court found against the hospital board and the Government simply introduced legislation to provide that the hospital board did in fact represent the Crown. That is what will happen under this legislation.

I do not have the information available to me immediately, but statutory boards, authorities and the Crown would be responsible for a significant portion of the use and storage of flammable and combustible liquids in any local authority area throughout the State. It is senseless to exclude the Crown from the provisions of this Bill. In order to test the resolve of the Government in this matter, I move the following amendment to proposed new subsection (8)—

"At page 7, omit all words from and including 'save' in line 25 to and including 'duty' in line 30."

Mr RANDELL: A well-accepted principle of Government is that the Crown does not subject itself to licence by subordinate authorities such as a local authority. I make no criticism of local authorities, but the Crown will, however——

Mr McElligott: You make them second class.

Mr RANDELL: No, we are not.

However, as provided in the Bill, the Crown will fully comply with all provisions relating to the storage and handling of flammable and combustible products. As an example, similar provisions have been included in the Building Act since 1975 in relation to the erection of Crown buildings.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 55		NOES, 27	
Ahern	Lee	Ardill	
Alison	Lester	Braddy	
Austin	Lickiss	Burns	
Beard	Littleproud	Campbell	
Berghofer	McCauley	Casey	
Booth	McKechnie	Comben	
Borbidge	McPhie	D'Arcy	
Burreket	Menzel	De Lacy	
Chapman	Muntz	Eaton	
Clauson	Neal	Gibbs, R. J.	
Cooper	Nelson	Goss	
Elliott	Newton	Hamill	
Fraser	Perrett	Hayward	
Gamin	Randell	McElligott	
Gately	Row	Mackenroth	
Gibbs, I. J.	Santoro	McLean	
Gilmore	Schuntner	Milliner	
Glasson	Sherlock	Palaszczuk	
Gunn	Sherrin	Smith	
Gygar	Simpson	Smyth	
Harper	Slack	Vaughan	
Harvey	Tenni	Warburton	
Henderson	Veivers	Warner	
Hinton	White	Wells	
Hobbs		Yewdale	
Hynd			
Innes	*Tellers:*		*Tellers:*
Katter	FitzGerald		Davis
Knox	Stephan		Prest

Resolved in the affirmative.

Mr McELLIGOTT: I wish to refer briefly to proposed new subsections (9) and (10). In view of the result of the last division, I will not divide the Committee on these

matters. I shall continue with the point that I have made. Under these amendments, the Bill having excluded the Crown from the regulations, proposed new subsection (9) will exclude "any statutory body, board or authority" which, by Order in Council, can be deemed to represent the Crown.

Proposed new subsection (10) further complicates the exclusions by reference to the prescribed Minister, who is the Minister in charge of the particular department. With the best intentions in the world, the whole responsibility for managing and administering the regulations has been spread too wide. Coming from a country area, Mr Temporary Chairman, you would know that this legislation will not work in the country towns. If we are to regulate these matters properly, the responsibility ought to be given to the local authority, which has the expertise and personnel to monitor, to inspect and to regulate. By doing it in the way in which it has been handled in this Bill, it will not work.

I make those points. I will not divide the Committee on this clause. Experience will show that, if the Government is serious about recognising the abilities of local government and the decentralised decision-making and administration that it offers, my suggestion would have been the way to go about it. The legislation will not work. Time will prove me to be correct.

Mr RANDELL: I have explained satisfactorily the problems that the honourable member finds in the Bill.

I emphasise again that I recognise the authority of local government; I always have and I always will. I have a strong and close relationship with local government, and that relationship will continue.

Clause 11, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Randell, by leave, read a third time.

TRUSTEE COMPANIES ACT AND ANOTHER ACT AMENDMENT BILL

Committee

Hon. P. J. Clauson (Redlands—Minister for Justice and Attorney-General and Minister for Corrective Services) in charge of the Bill.

Clause 1—

Mr WELLS (3.51 p.m.): I thank the Leader of the House and the Attorney-General for their courtesy in adjourning this debate until a later hour of the day owing to my indisposition at the time. As the leader of Opposition business explained to the House, I was caught in the lift. I was told that the lift was jammed somewhere between the fourth and fifth floors. It was an unusual experience for me finding myself caught between a place that I could not identify and another place that I could not recognise, with only one fast exit, and that down. It is a position with which Government members will be very familiar, but one which I found most unusual. However, I thank the Leader of the House and the Attorney-General for delaying the subsequent debate on the clauses of the Bill to give me the opportunity to say that the Opposition supports this Bill.

This is a machinery Bill. Its benefit will chiefly be reaped by executors of deceased estates, other beneficiaries of deceased estates and others who require trusts in those circumstances. Since it is basically a machinery Bill, the Opposition supports it and will support it through the clauses.

Clause 1, as read, agreed to.

Clauses 2 to 12, as read, agreed to.

Insertion of new clause—

Mr CLAUSON (3.53 p.m.): I move the following amendment—

"At page 9, after line 15, insert—

'12A. Amendment of s.51. Court may order account. Section 51(1) of the Principal Act is amended by omitting the words "cestui que trust" and substituting the word "beneficiary".' "

Amendment agreed to.

New clause 12A, as read, agreed to.

Clauses 13 to 28, as read, agreed to.

Bill reported, with an amendment.

Third Reading

Bill, on motion of Mr Clauson, by leave, read a third time.

LEGAL AID ACT AMENDMENT BILL

Second Reading

Debate resumed from 13 April (see p. 4680, vol. 312).

Mr WELLS (Murrumba) (3.56 p.m.): The Opposition supports this Bill, in respect of which the Attorney-General has had proper consultation and has been properly advised.

The Opposition does have an amendment to the Bill, which it will raise at the Committee stage. However, the Opposition does not have a problem with the structure of the Bill. The Opposition supports it.

Mr INNES (Sherwood—Leader of the Liberal Party) (3.57 p.m.): The amendments contained in the Bill appear to be sensible. One of the significant amendments relates to allowing corporations to become people who can be legally aided. That sounds a little unusual, but such is the frequency with which incorporation is used by people in very modest circumstances today, often people who are self-employed, that to be incorporated does not mean that one has great amounts of money, and it is often associated with people who fall upon hard times.

So, subject to care with regard to the access given to corporations, the Liberal Party supports the amendment. I think it would be very rarely used, and should not be used, by public corporations because they, of necessity, must have substantial assets and public accountability. However, private companies are frequently related to a very small share-holding, often within a family, and very significant hardship does occur to people whose assets are controlled, in effect, by incorporation.

I know that that is the case from the dealings that I have in my own office. Not infrequently one finds people who are seeking assistance in their attempts to get legal aid. I must say that I simply send a letter to the Legal Aid Office, which is usually very courteous and prompt in its responses. However, quite clearly, there is not enough money to go around because lack of success is more the order of the day than success, litigation increases, the cost of litigation increases and the number of people who miss out on being able to go to court increases.

It is one of the sad facts of life that, unless one is very poor or very rich or belongs to some special part of the community that has special legal aid programs, one cannot afford to go to court. I think that middle Australia simply cannot afford to go to court. Many people miss out on rightful claims because they simply cannot afford the risks that go with commencing legal proceedings. On the other hand—and this is the balance that is difficult to achieve—we must keep Australia away from the American experience.

We simply cannot become a society that is so litigious that people go to court about every darned thing.

Costs are a burden, but costs in a way do provide some brake on people racing off to courts instead of settling their disputes in other ways. In a sense, it is a dilemma that we are never going to quite overcome: keeping in the people who have good claims that should be litigated and at the same time providing a brake on those people who attempt to use the courts unnecessarily or play the legal system, if you like, and even use the threat of costs in order to terrorise opponents to work out settlements.

The whole subject of legal assistance is one that exercises the minds of people in Australia and elsewhere in the world. There just is no simple answer. From the part of the administration of the legal aid system that I see, I do not think that generally people who are truly deserving miss out. But, at the same time, I think that some people who deserve legal aid do not receive it because the pool of money is not big enough. We will never strike the total balance. Hopefully, some of the new structures for settlement, reconciliation and arbitration will assist. However, I suspect that there will constantly be the problem that people at the lower end of the income scale who should be able to go to the law will not be able to do so.

On the converse side, injustices can be found in matrimonial disputes in which somebody is legally assisted and somebody is not. The person who is legally assisted can pursue his own, sometimes vindictive, approaches to matrimonial matters at the expense of the person who has the income but who simply cannot afford unlimited costs. It is an enormous dilemma. As the Minister and the commission have advised, when sensible things are proposed to refine the system, we must be prepared to support them in practical ways. Hopefully, additional structures will be found to make sure that people with just causes do not miss out.

Mr McELLIGOTT (Thuringowa) (4.02 p.m.): I have had some problems with the legal aid office in Townsville. From the comments by the previous speaker, it appears that the problems may extend throughout the State. It seems that the purpose for which the legal aid service was established is not being adhered to and that people who are deserving of legal aid are being excluded from that right. In some circumstances they are being excluded because of technicalities. Very briefly, I mention two examples of that.

In the first instance, following what can best be described as a brawl, a fellow who was charged with assault was refused legal aid on the grounds that his defence was unlikely to succeed. On the information that was given to me, I had no doubt that his defence would succeed. That turned out to be the case. The parents of the young fellow borrowed a substantial sum of money to take the case to court. He was subsequently acquitted. It seems strange that the legal aid office can make that judgment without hearing the facts of the case. I do not really know how the legal aid office can predetermine that a defence will fail and therefore prevent persons, such as the one to whom I referred, from gaining access to the court system, except at considerable cost to himself or, in this case, to his family.

The most recent case that has come to my attention is that of a supporting mother, 21 years of age. She has two children and lived in a de facto relationship. The de facto husband tended to abuse her physically. A separation has taken place. Apparently the de facto husband is now seeking custody of the two children and the mother wants to fight that application to the full extent of the law. She has no experience whatever with the legal system or, for that matter, with the legal aid system. She called at the legal aid office and was told that there were no legal aid solicitors available to her at that time, but that, if she liked to choose a solicitor, the legal aid office would pay his costs. She subsequently chose an outside solicitor and took that solicitor into court with her at relatively short notice, not realising that she had to go back to legal aid. Subsequently, she received from the solicitor a bill for $390. The legal aid office has refused to reimburse that cost on the grounds that she did not have formal written approval of the legal aid assistance. I have written to legal aid on her behalf. I said that, if it is only a technical

point on which legal aid has been refused, surely that can be overlooked. The legal aid office has simply replied that the decision has been reviewed and that aid is still refused.

Obviously I have heard only the mother's side of the story. If it is in fact true, it seems that the legal aid office ought not be excluding on a simple technicality people who are obviously deserving of legal aid. The fact is that she was led to believe that legal aid would be provided. What she did not have was a piece of paper from the legal aid office advising her of that decision, presumably because the office was too busy to provide it. I think that the legal aid network needs to be examined to ensure that it is providing within the limits of the funds available the best service that it can provide to the people who deserve that service.

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General and Minister for Corrective Services) (4.06 p.m.), in reply: I thank the honourable member for Murrumba and the honourable member for Sherwood for their support for the legislation. I point out to the honourable member for Thuringowa that applicants have opportunities to appeal against a decision of the legal aid office. They can do that by way of an application to the district committee, seeking to have that decision reviewed, or they can have a review committee look at that decision. In the circumstances, if the honourable member would care to apprise me of the circumstances of each of those cases, I would be quite happy to have the Director of Legal Aid in this State look at them to see whether there is any merit in them.

I hasten to point out that at the time an application for legal assistance is made, a judgment has to be made by the legal aid office on the merits of the case based on the information placed before it by the applicant. Quite often, that does not show both sides of the story. It is a very difficult decision to make. Sometimes there are cases in which, when the full evidence comes out in the trial, a person is successful whereas the committee considered that he would not have been. It is not unusual for cases to go to court in the normal circumstances and be successful where success was judged to be a slim chance. Problems are associated with that. It is a question of judgment and a matter of human involvement. However, as I said, if the honourable member would care to write to my office, I shall take it up with the Director of Legal Aid in this State in order to look into those two matters that he mentioned.

Motion agreed to.

Committee

Hon. P. J. Clauson (Redlands—Minister for Justice and Attorney-General and Minister for Corrective Services) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr WELLS (4.09 p.m.): I foreshadow an amendment to clause 4, which deals with the constitution of the commission.

Mr FitzGerald: Be nice. We waited for you. You weren't here.

Mr WELLS: I thank the honourable member for raising that matter. It is always useful when National Party members come in about 10 minutes behind the game and make suggestions that would have been relevant to a previous speech.

Honourable members interjected.

Mr WELLS: I cannot understand what honourable members are saying when they say it together. The trouble is that they do not say the same thing. They could be better trained so that they all say the same thing whether they are interjecting or making speeches.

Mr Prest interjected.

Mr WELLS: I thank the honourable member for Port Curtis.

Mr Casey: The National Party is used to that, and it is usually, "Baa."

Mr WELLS: I thank the honourable member for Mackay.

The TEMPORARY CHAIRMAN (Mr Burreket): Order! The honourable member will confine his comments to the clause.

Mr WELLS: I thank you, Mr Temporary Chairman, for your protection from the multifarious interjectors.

As I said, clause 4 establishes the constitution of the commission. At the moment the commission will constitute the following people—

"... a Commissioner, nominated by the Minister, who is a public accountant..."

and—

"the Director who, ex officio, shall be a Commissioner;".

I move—

"At page 2, line 27, add—

'(g) a member nominated by the Queensland Association of Community Legal Services'."

The Opposition wishes to add to the personnel of the commission a representative of the Queensland Association of Community Legal Services because that association provides many services that are correlative to the services that are provided by the Legal Aid Commission. The association provides not only legal advice but also a range of counselling and referral services and often works hand in hand with representatives of the Legal Aid Commission. Therefore, it would be very useful for the commission to include a member of the QACLS to ensure a proper flow of information.

In terms of communication between various statutory or service authorities—there is nothing quite as effective as representatives of those organisations meeting each other, particularly in the context of a commission that has the responsibilities of this commission.

The Opposition moves that amendment to create efficiency and the delivery of more effective legal services to the people of Queensland who are served by the Legal Aid Act.

Mr CLAUSON: In the circumstances, I cannot accept the amendment in that form. Had the honourable member suggested an amendment on the basis of a second Commonwealth appointee who is residing locally in this State and who has no alternative, the amendment would have been more acceptable to the Government and the commission. Unfortunately, I am unable to accept the Opposition's amendment in its present form.

Mr WELLS: The Opposition is quite happy to accept the Attorney-General's suggestion and to present the amendment in an acceptable form.

Mr CLAUSON: The Government is quite happy with the alteration as proposed by me as Attorney-General to the amendment of the Opposition spokesman. In those circumstances I would be prepared to accept an amendment in the form that the Commonwealth have a further appointee, that that appointee be residing locally in Queensland and that that appointee do not have an alternative; in other words, that the appointee must attend all meetings at which he or she wishes to vote.

Mr WELLS: Would that appointee be somebody nominated in conjunction with the Queensland Association of Community Legal Services?

Mr Clauson: It may be.

Mr WELLS: The necessity now arises to put that amendment into words. With your indulgence, Mr Temporary Chairman, I would like to do that now in conjunction

with the Minister. Is it possible for the Minister to speak privately with me in order to draw up an appropriate form of words?

Honourable members interjected.

The TEMPORARY CHAIRMAN: Order!

Ms WARNER: I am quite happy to make a few reflections on legal aid while the Minister and the soon-to-be Minister are conferring in the lobby. I appreciate the indulgence of honourable members.

The subject of who does and who does not get legal aid in this State is a very vexatious issue, as honourable members who have been approached by constituents who are at a loss to understand why legal aid has been denied for their very deserving requests would be aware. I understand that not only the financial position of the person requiring legal aid but also the viability of the person's case are taken into account. Therefore, the Legal Aid Commission actually makes some kind of judgment as to whether or not the case will be successful. Under those circumstances, it seems that quite often people are unable to proceed with the best possible representation. Even though they feel they have right on their side, they are unable to convince the commission of that and are often left with a feeling of grave injustice.

Recently, articles about the Legal Aid Commission have appeared in the press. Initially, a statement was made, not publicly, but by people who are in the know—people within the Family Services Department—that legal aid would not be approved for people asking for protection orders under the domestic violence legislation. Subsequently, I made a statement in respect of that and called on the Legal Aid Commission to actually make that facility available. Obviously the success or otherwise of the domestic violence legislation is highly dependent upon the availability of protection orders to protect women. If women find that, because of financial circumstances, they are prevented from taking out protection orders, obviously that legislation will be of no use to them whatsoever. As can be imagined, women in that situation are often without resources. Their marriages have split up and certainly very few husbands would give money to their wives for the purpose of enabling their wives to take out protection orders against them. Therefore, quite often women are left in a very vulnerable and difficult position. Obviously, the provision of legal aid is an immediate and rational answer to that problem.

After I had made that statement, the newspapers printed a reply suggesting that in future some legal aid facility would be given to women who wanted to take out protection orders against their husbands. But that commitment was hedged around with some qualifications. It was said it was envisaged that not very many women would be in that position, because under the new domestic violence legislation police would be taking out most of the protection orders. Although under the domestic violence legislation police have the facility to take out protection orders on behalf of women in order to protect them, nevertheless, the experience in Victoria is that very few police actually do so.

I have just been informed that I have to continue for five minutes, unless anybody else wishes to speak. I hope that the Legal Aid Commission is under no illusion about the number of applications that may very well be made under that legislation to provide finance for women seeking protection orders. I can assure the commission that many and varied applications will probably be made. However, as an aside, I indicate that the domestic violence legislation was supposed to be fast-tracked to make up for the Government's neglect of providing any real protection in the area of gun laws. It was suggested that this could be done under the domestic violence legislation and that it would in fact be fast-tracked. The original date of 1 August came and went without the domestic violence legislation being proclaimed. Because of the lack of necessary forms, the date on which it will be proclaimed is 21 August. So much for fast-tracking much-needed and very tardy legislation—tardy in that it should have been introduced many years ago.

I will now return to my original point. In order for that legislation to work, every avenue has to be explored. The Legal Aid Commission is one of those avenues that can offer assistance. I hope that it will consider the cases from a sympathetic rather than a dismissive point of view to ensure that the legislation works, that it works well, and that women are aware of their rights to take out protection orders with the provision of financial assistance for proper representation from the Legal Aid Commission.

Mr COMBEN: I rise, again at short notice, to speak to this Bill concerning legal aid in this State. What is occurring behind the scenes this afternoon is commendable. For the first time in my six years as a member of this Parliament there seems to be genuine co-operation, and one can only wonder if this is not part of the new light and liberty of fraternity which is being seen by the National Party and being espoused as, "We are different from the old crew." But whatever the reasons for it, it is certainly commendable that at this moment a joint approach is being taken and a joint drafting is being made of certain amendments to this Bill.

What tends to happen when these emergency conferences take place and when suddenly a whole new section is to be put into a Bill and an endeavour is made to try to work out what everyone is saying is that the end product is a form of legislation that is often inconsistent internally and can be challenged later in the courts. Recently, in the Supreme Court, a judge commented on the referee provisions of the small-business claims division. He said that the whole section of legislation under which a charge had been brought had obviously been drafted hastily and without thought for overall concept and legal provisions. The judge threw the charge out. I wish I had brought that judgment with me this afternoon.

Too often in this State Bills have been debated very quickly. One's mind goes back to the time when the Mortgages (Secondary Market) Bill was debated. We were told that the legislation had to be passed that night. It was rushed through. There were umpteen divisions. The Bill was not actually assented to for more than a month, and it was then another two or three weeks before it was proclaimed. Before it could be implemented, it had to be brought back to the Parliament for amendment. Subsequently, it was amended on at least two occasions within a period of weeks. That type of sloppy drafting and sloppy approach to legislation is too often the approach adopted by this Government. However, certainly in terms of the consultation that has preceded this legislation, the Government is to be commended.

I wish to take up one of the matters referred to by my colleague the member for South Brisbane. She mentioned the double trial of a litigant who is seeking legal aid or legal assistance. In Western democracies, the common law jurisdiction has made people accustomed to the presumption of innocence until guilt is proven. People go to court to prove their innocence, but when they seek legal aid they are suddenly in a situation in which the determination of their guilt or innocence is not made in a court.

Ms Warner: It is before the commission.

Mr COMBEN: Yes.

Ms Warner: It is not due and legal process.

Mr COMBEN: Certainly not. Ten years ago, a very moving case arose in the United States Supreme Court involving a person by the name of Gideon, who was an indigent hobo—for want of a better term. He was denied his legal rights because he did not have access to a lawyer. The matter eventually came before the Supreme Court. Effectively, the lowest in the land was pleading his case before the highest justices. The Supreme Court decided that every person is entitled to his day in court and that every person has the right to be able to obtain legal advice. If legal advice is necessary and has to be obtained through legal aid, surely that person should be provided with legal aid when a qualified lawyer is required.

At present in this State, the system means that such a person would go before a solicitor in an office in town. The first step is to convince that solicitor that the matter

is worthy of litigation and is not trivial. The second step is to convince the solicitor that the matter is likely to succeed. A jury is supposed to be composed of 12 ordinary people who might otherwise be found sitting on a Clapham omnibus. In this State one juror is sitting on the other side of a desk in the commission's office.

No matter how unlikely the scenario might be and no matter how unlikely the defence might be, people have an entitlement under the common law principle to put their case before a jury. However, that is not the case in Queensland, because first of all a litigant has to convince a solicitor, who has probably come from a different socio-economic background, that the case is worth while. The solicitor could be sitting at the desk in clothes worth approximately $300, but the litigant is probably unable to present his case properly to the solicitor at that preliminary stage. The solicitor will make a judgment and decide that the litigant does not look as though he will make a good plaintiff or appellant. The solicitor will also make the judgment that the case is not worth running, irrespective of how important it is to the individual litigant. Although it might only be worth $200—one day's pay for an average legal aid solicitor—it might be very important to the individual.

Ms Warner: It might mean a stint in gaol for somebody if they cannot pay that money.

Mr COMBEN: That is right. It can be a very serious matter. However, the solicitor will make a very quick judgment and then say, "Well, I don't think the jury would listen to you, mate, so we are not going to run it." That person would be denied his day in court under the present legal aid system.

A very low means test is applied to the granting of legal aid in this State. The level is just above the amount of the pension. Someone I would describe as indigent with dependants and unable to afford legal action——

Mr Austin: You are making this up?

Mr COMBEN: If I were, I would be making up names such as "bald eagle".

It could be that a person who is poor does not qualify for legal aid under the means test applied in this State. A matter could be so serious as to warrant action in the Supreme Court and, if the advice of a lawyer was acted on to its fullest extent, it could cost tens of thousands of dollars. Yet a person who receives a pension of $10,000 a year and has a small amount saved would be denied his day in court.

Mr Austin: Are you discriminating against me because I have not got any hair on my head? I will have to report you to Justice Einfeld.

Mr COMBEN: No. The Government of this State discriminates against people who have no money and this Government denies them their day in court.

Mrs Chapman: The reason why they have not got any money is because Mr Keating will not bring down the interest rates.

Mr COMBEN: That is what I would expect from the member for Pine Rivers. I will go out to Pine Rivers and say to every supporting mother who has been deserted by her husband, left with absolutely no food in the cupboard and with three hungry children that it is Paul Keating who has denied her the right to go to court.

Mrs Chapman: That is right.

Mr COMBEN: That is right, is it? It is no wonder that the National Party has no head. It has no brain.

Ms Warner: Or heart.

Mr COMBEN: It has neither brain nor heart.

Mr Hamill: But it has lots of sheep.

Mr COMBEN: Yes. The National Party is not concerned about the genuinely poor people—the people who are said by the majority of members in the community to be those who deserve a hand. The National Party has no heart and no brain. It has no consideration at all for low income earners.

Mr Gygar: You are getting to be a bit tripartisan.

Mr COMBEN: I think I was being tripartisan.

Mr Austin: What are you reading from?

Mr COMBEN: A blank piece of paper. Let me get on with my speech.

Ms Warner: We are helping you.

Mr COMBEN: I thank the honourable member for her help.

I have three other points to raise. The review provisions relating to legal aid in this State are not unreasonable. If a person is knocked back there is still a panel. Some very competent people serve on the legal aid review panel in this State.

Mr CLAUSON: I thank the honourable member for Windsor for his learned contribution to this debate this afternoon. I propose to move an amendment to clause 4 of the Bill.

The TEMPORARY CHAIRMAN (Mr Burreket): Order! I suggest that the honourable member for Murrumba withdraw his proposed amendment.

Mr WELLS: I withdraw my amendment in anticipation of the amendment that will be moved by the Attorney. I thank the Attorney for accommodating this amendment and I also thank his officers for their assistance in drafting the amendment. This willingness to take on the good ideas put forward by the Opposition that has been evinced by the Attorney-General on this occasion is something that could well be emulated by his colleagues. The Opposition is grateful to him. I understand that the amendment that he will move will give effect to what the Opposition has in fact asked for. I thank him in anticipation and seek leave to withdraw my amendment.

Leave granted.

Mr CLAUSON: I move the following amendments to clause 4—

"At page 2, after line 29, insert—

'(iii) in paragraph (g) as relettered by subparagraph (ii) omit the words "a Commissioner" and substitute the words "two Commissioners";

(iv) adding at the end of the subsection the following paragraph:—

"At least one of the Commissioners nominated pursuant to paragraph (g) shall be a person resident in the State of Queensland." ' ";

"At page 2, omit all words comprising lines 32 and 33 and substitute the following words—

'(c) in subsection (4), omit the words "the Commissioner appointed pursuant to paragraph (e) of subsection (1)" and substitute the words "any Commissioner appointed pursuant to paragraph (g) of subsection (1) who is not a resident of Queensland." ' "

Mr WELLS: The Opposition supports the amendments. Their effect will be to allow the Commonwealth an additional nominee on the commission. I and the Attorney understand that the additional nominee will be a representative of the Queensland Association of Community Legal Services. This amendment will give effect to what the Opposition has called for. The Opposition thanks the Attorney-General for his promptness in taking on board the Opposition's suggestion and thanks the Attorney's officers for their efficiency in drafting this quite complex amendment which was necessary to give

effect to the Opposition's suggestion. The Opposition would like the qualities that have been evinced by the Attorney in this matter evinced by his colleagues in other areas of legislation.

Amendments agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 25, as read, agreed to.

Bill reported, with amendments.

Third Reading

Bill, on motion of Mr Clauson, by leave, read a third time.

FOOD ACT AMENDMENT BILL

Second Reading

Debate resumed from 15 March (see p. 3794, vol. 311).

Mr COMBEN (Windsor) (4.37 p.m.): The Opposition agrees with the Food Act Amendment Bill.

Mr CASEY (Mackay) (4.38 p.m.): I wish to comment on a few aspects of this Bill. When legislation such as this is before the House, it is important to consider some aspects of food regulations and the rules that cover health matters and other problems associated with processed foods. Food comprises 17 per cent of retail sales throughout Australia and processed food, whether it is sold through supermarkets or exported, accounts for 20 per cent of Australia's manufacturing industry. As it comprises one-fifth of all of Australia's manufacturing industry, that is really big business. However, it could be a lot bigger.

Unfortunately, the industry is perhaps also one of the most controlled in this nation. Controls exist over packaging, the types of containers, the amount and type of labelling, and the amount of product in the packaging that is eventually put on supermarket shelves, whether here or elsewhere in the world. Regulations govern statements about the nutrition of goods contained in packages. Health standards have to be met. There are also requirements about additives and residues that may result from the use of chemical pesticides and herbicides and other control measures used in the production of food. Recently they have been of some concern to the people of Queensland.

All of these regulations become so tightly bound up that they militate against themselves. A few years ago in my electorate a local cafe bought boxes of oranges from the fruit-wholesaler and specialised in selling the juice from freshly squeezed oranges. The specialty was advertised as orange juice but, strangely enough, even though it was produced from squeezing oranges, it could not meet the specification of the regulations covering orange juice, which, according to those regulations, has to contain certain additives. That product had to be advertised as an orange drink because, under other regulations, certain other things are allowed to be done under the heading "orange drink". That is simply crazy. What better orange juice can one get than that from a freshly squeezed orange?

Mr Deputy Speaker, you would know from experience in your own electorate that there has been much concern over an advertisement about a product containing no added sugars. For the benefit of honourable members and the public generally, I state that those packets containing cereal food that are advertised as containing no added sugar ought not really carry that statement, because wheat and all other grains contain a proportion of sugar. Because the amount of sugar within the grain—perhaps I should use the more correct term "sucrose", as the honourable member for Mulgrave would define it——

Mr FitzGerald: It could be fructose.

Mr CASEY: Yes, it could be.

The quantity of sugar in the grain depends on the type of grain, the weather during the growing season and so many other things during the production cycle. Yet the packaging and labelling carries those sorts of statements.

The most important thing about processed foods is taste, as that is what affects sales. That is what we ought to be addressing. I am speaking on behalf of the sugar industry and I am saying that sugar gives a good taste to products in which it is included, no matter what the product is. Goods on supermarket shelves carry advertising to promote them and regulations ensure that the labels show the percentages of this and that. I ask: who really reads all of those percentages on the packaging? Perhaps some of the real health fanatics do.

Mrs Chapman: I can't understand them, anyway.

Mr CASEY: As the honourable member for Pine Rivers has mentioned it, that is the other question I pose: who understands what they really mean, anyhow, or what will or will not be harmful?

What I am really getting at is that, in our food-processing chain, all of these health and packaging regulations are not the most important thing; what we really want to be able to tell the public is that contained in the package is a nutritious, tasty food. Surely a consumer in Mossman of something that is manufactured down in Melbourne does not really want to know or understand the percentages of certain ingredients or want to change things at that stage. So long as we can be assured that there are some Australian standards covering health matters that ensure that, down in Melbourne where the food has been processed into that packet, those health regulations were enforced constantly and regularly, that is what we want to achieve, not the type of thing contained in this legislation, such as empowering a policeman to take the name and address of a person who is selling a food product. If the food product is being manufactured in Melbourne and sold in Mossman, it really matters not a bit whether the supermarket-owner or whoever it might be gives his name and address to a policeman. What a person really needs to know is that down in Melbourne, where the food has been processed and put into the packet, it has been properly packaged and been the subject of a viable inspection system, one that protects the health of people.

This sort of thing really needs to be reviewed, not only as it affects packaging but also, and more importantly, as it affects the State's primary industries. As everybody in this House knows, this is a great primary producing State, one which produces an enormous volume of food compared with what is consumed in the State. Tragically, what is happening in this State is that advantage is not being taken of the types of things that consumers in our export markets are really looking for. That is so for the simple reason that nothing is being done to properly encourage adding value to the produce of this State. That is where we are missing out on our share of the international market.

We must examine and review our standards and regulations for food-packaging. We must also carry out surveys on the international market. The Japanese prefer a different type of product from that preferred by the Taiwanese, the Malaysians and the people living in the United States of America and Canada, which are places to which we export much of our produce. Because we are not adding value in Australia, we are missing out on many of those markets.

This week in Brisbane, the Exhibition will be held. It is one of the great sales outlets for confectionery in this State, as are the provincial and country shows. Thousands of children buy the humble sample bag at shows because they enjoy the lollies contained in them. At the Exhibition, as well as at the Ingham show, the Mackay show and at all the other shows, when I have purchased sample bags for my grandchildren, I have found Kandos brand products such as Kiddies strawberry, mixed fruit, mango and pineapple compounded chocolate. They are beautiful chocolates and properly presented on the market. However, they were manufactured with Queensland sugar at Selangor in Malaysia. Although Malaysia has a small local sugar market, it purchases most of its raw sugar

from Queensland. That company has added value to the product and exported it back to Queensland. That is silly. I am not talking about Australia or the Federal Government. Queensland is the sugar-producing State of Australia. We ought to be manufacturing confectionery for the export markets of Asia, rather than buying from the Asian markets for consumers in Queensland. It shows the failure of the Government over the years in not doing anything about producing value-added products in the sugar industry and selling them overseas.

Many times in this House I have spoken about the need for a major confectionery industry in Queensland. When we find that the Brisbane Exhibition sells sample bags that contain chocolates which are manufactured in Malaysia and other overseas countries to whom we sell raw sugar, it is ridiculous. The value-added benefits of that product are received by those overseas countries rather than by manufacturers in Queensland. Those matters must be examined.

Supermarket shelves contain thousands of imported food items containing food that has been produced in Australia. The products include confectionery, jams, biscuits and cakes. Honourable members should note the number of biscuits for sale on our supermarket shelves that have been manufactured in Great Britain. I refer particularly to specialty display items for gift sales.

Alcoholic drinks such as liqueurs are imported from overseas. A couple of years ago, I tried to tell the pineapple industry in Queensland that it should be making a pineapple liqueur, which is excellent. The Hawaiians make it. In Queensland, we have the sugar and the pineapple to enable us to manufacture that product.

Mr McKechnie: They do it in Stanthorpe.

Mr CASEY: They do not grow too many pineapples around Stanthorpe, but they produce some liqueurs there.

Mr McKechnie: No. What I am saying is making liqueurs.

Mr CASEY: We must make them and sell them on the international market rather than buying them on the international market.

Some of the cottage industries have no added value for the nation generally. However, frozen meats, fish and fruit and vegetables are being imported and are on our supermarket shelves. Australia produces an enormous quantity of vegetables, yet they are being imported from other countries. Unfortunately, those industries have been receiving no encouragement from the State Government. That problem should be addressed.

The monthly journal from the Department of Industry Development tells us about a person who is making a new style of building here or a plastic product there that has been totally manufactured from items that are imported into Australia. That is good. I admire the work that the department and its officers have been doing in that regard. However, let us get down to what we are good at and improve on that. We are good producers of food and that is the area in which our manufacturing industries should be improving and obtaining their share of the world market.

Unfortunately, Queensland and Australia are small producers of processed food for the world market, and our share is declining. Therefore, we must identify the future needs and move in that direction. It is all tied up not only with the primary production side of it, and encouragement from Government, but also with the need to have a standardisation of food labelling and packaging and the health and nutritional requirements that will be needed by overseas consumers.

We should start at the market-place. The market does not start on the farm in Queensland; it starts in the consumer's home. Whether it be in Thailand, Malaysia, Japan, Canada, the United States, Great Britain or the European Community, that is where we start. We ought to be conducting consumer polls in those market areas on the size and type of commodity that they like to buy and the taste that they require with

commodities that are made from processed food so that we can grow and process what is required by the markets. While Australia continues to need to be a great producer of food products and continues to need to be a big exporter of food product surpluses, it must look at the market-place if the economy is to improve.

Previously, I mentioned the quantity of food items on our supermarket shelves that are processed overseas. Because of the volume of overseas products that is being sold, on a daily basis the balance of payments problem is increasing. If quality or health is to be a selling point, the regulations under this Act must be adjusted accordingly, and products must be labelled, processed and advertised as such. Unquestionably, that is the way in which the State of Queensland will have to go if it is going to improve its economy. It will have to go into the processing of our foods and the sale internationally of our foods. In addition, as I have said, we will have to process, package and sell the food in accordance with the tastes and desires of the consumer market in other countries.

Mr SHERLOCK (Ashgrove) (4.54 p.m.): It is always a pleasure to follow the member for Mackay. I take my hat off to him. He never misses an opportunity in this Chamber to tell honourable members about the marvellous sugar industry.

The Liberal Party supports this machinery amendment. However, the debate on the Bill does provide me with an opportunity to speak about preservatives and additives for food products and especially their labelling requirements. There is a strong body of opinion now which is in favour of legislating to spell out the scientific names of food preservatives and additives. Consumers are concerned about what they eat, and a great body of awareness is now building up in the community about additives to various food products.

There is a need for a description of additives and preservatives to be included on product labels so that consumers can readily identify substances which might have side effects or to which they might have idiosyncrasies. Some additives, of course, have been shown to be dangerous and some are still under investigation for a variety of reasons, although it is fair to say that the risk to most individuals is quite minor and, indeed, many in the community are unaware that there is any risk at all. However, quite specific research has revealed potentially dangerous additives and preservatives, and the argument that complete naming of preservatives and additives enables consumers to be aware precisely of the foods that they buy is becoming quite compelling.

A numbering system, which is used internationally, has been devised to circumvent the problem of spelling out scientific names on the labels of food products. Some of those names are of considerable length. When products are marketed internationally, say in a variety of languages, one can understand the problems that are then created for those who package and market the products. Australia is a signatory to a United Nations convention which has agreed to use the accepted international code numbers on food products, the rationale being that those individuals who are allergic to or have some idiosyncrasy to a particular food, preservative or additive can merely become aware of the numerical code. They are alerted to that. When they go shopping, they look for these and avoid them. This, of course, is an acceptable practice, which helps manufacturers in particular to get around the problem, if we look at it purely from a marketing viewpoint.

If we are not able to legislate to put names instead of numbers on our food labels, Queensland, as an Australian State, must look at other ways of making the information available to consumers. There is certainly merit in producing some sort of card system which could be made available to the public free on request and which details the potential side-effects of preservatives and other additives.

As I have said, these days consumers are aware of the foodstuffs that they are consuming and the potential problems that arise. They want to be in a position to make an informed choice about what they buy. So it seems to me that the availability of printed material may be the way to go. Many pharmacies now provide information about over-the-counter medicines and, indeed, prescribed medicines. Pharmacies and

health food stores make available to their clients information about vitamins and other nutritional products.

If the Government is not able to introduce regulations for the labelling of food products to include the naming of additives, at least we must produce that level of service, that is, at least cards or information about side-effects and idiosyncrasies that may be experienced. This might be a first step in addressing the quest in the community for more specific food-labelling.

I also want to draw attention to the Business Regulation Review Unit of the Commonwealth of Australia and the Regulation Review Unit of the Government of Victoria, which took part in a joint inquiry into food regulation in Australia and published a report in November 1988. In releasing that report, the units noted that food accounts for 17 per cent of retail sales in this country. The member for Mackay has drawn attention to that. Of course, some 20 per cent of the manufacturing industry in this country is made up of processed foods. As the member for Mackay said, it is big business indeed.

The processed food industry, however, has not assumed major importance in exports. The report to which I refer considers that over-regulation may be a major cause of this. The report of the study goes on to say that over-regulation leads to increased costs and prices of food, brings about less diversity of product and hampers innovation. The joint report calls for the demolition of many general standards of labelling and simplification of others. For example, it maintains that food additives should be reclassified so that those which are safe may be generally used instead of their use only where certain authorities may consider them to be necessary.

The study notes that the objectives of food regulation are very rarely spelt out clearly and, in some cases, these objectives appear to be targeted towards quite specific goals, such as the protection of particular products from competition. Generally, however, food regulations are designed to ensure that food is healthy and to prevent consumers from being misled.

An article in the July 1988 edition of *Choice* claims that Australian industry is using the failure of some importers to meet labelling requirements as an argument for deregulating labelling and maintains that such a decision would be disastrous for consumers. The article states—

> "Although still well behind European and US standards, Australia's food labelling laws give consumers essential information on a product's ingredients, weight and manufacturer. For consumers with food allergies this information can mean the difference between life and death.
>
> Over the years, CHOICE reports have encouraged many manufacturers to toe the line. One area that often escapes scrutiny is specialty imported foods. Are these foods labelled according to Australian requirements?"

It seems that both the Commonwealth and the State Governments must rationalise their food inspection programs. The same *Choice* article states—

> "At present, most food testing is done by State health authorities which check products—local and imported—at the point of sale.
>
> However, different States observe different levels of scrutiny and some importers know which States' inspectors they can 'get past'. A single point-of-entry inspection would be more efficient than having each State individually check products once they are in the stores.
>
> While imported foods are slipping in unchecked, Australian manufacturers are expected to meet exacting standards when selling food overseas. Many of our trading partners impose far more stringent import regulations than we do. Not only must a locally made product pass Australian regulations, it may be subject to different overseas labelling.

. . .

The inequity of the current system is being used by industry as an argument for relaxing all regulations. We believe *more* stringent inspection of imported products is needed, not lower standards overall."

Choice says that Australian consumers recognise Australian manufacturers will be disadvantaged if the laws are not enforced equitably. The magazine states—

"Food manufacturers might be more supportive of further labelling reforms if they know imports are complying with regulations. We"—

that is, *Choice*—

"urge governments to rationalise their food inspection programmes."

That seems to be a not unreasonable request, especially when we recognise that the labels on pet foods are generally already required to disclose more information than the labels on certain human foods.

Referring again to the joint report of the Business Regulation Review Unit, I refer specifically to its recommendations 25 to 34, which relate to additives and vitamins. The report recommends that additives cleared by the Joint Committee of the United Nations Food and Agriculture Organisation and WHO should be developed into what is generally regarded as a safe list and be permitted for use in all foods.

The recommendations further state that a second list of additives would be composed of those additives the excessive consumption of which could prove harmful. The use of additives on this list should be quite restricted. Other recommendations call for simplification and relaxation of claims that sellers may make about vitamins contained in their products. This is a complex topic and I recommend that those honourable members who have an interest in it refer to the review of business regulations of the Australian Food Standards Regulations of September 1987 and the report of the joint inquiry of the Commonwealth and the Government of Victoria of November 1988 to which I have referred.

An article in the *Sunday Sun* on 29 November last year, titled "Food law to face the chop", states—

"Nearly all food regulations designed to protect consumers from deception will be abandoned if Canberra accepts recommendations to reform the $20 billion-a-year industry.

A report found that over-regulation of the food sector was damaging the economic well-being of the community and, in some cases, adversely affecting community health.

And with Australia's share of world food exports dropping, the costs and disincentives to innovation caused by the regulations were damaging our international competitiveness, the report said.

It calls for:

- Elimination of many general labelling standards and simplification of others.
- Reclassification of additives so that those that are safe may be generally used instead of used only where the authorities consider them to be necessary."

I have already referred to that. The article continues—

"• Abandonment of many regulations that tightly define the composition of standardised foods.
- Deletion of regulations which control package sizes and free space in packages.

. . .

A complex set of overlapping Federal and State legislation and regulations control food production and sale.

The report advocates leaving the matter to the general provisions of commercial law."

These are challenges to be addressed.

The consumers' concern about having more information about the food that they take in must also be addressed. Whilst we must heed the constraints that are impeding our manufacturers from developing products which enable them to compete in an active market-place both in this country and overseas, time precludes me from developing that argument further. On the one hand, it is a matter that the food industry has to address; on the other hand, those who are concerned about the various problems of food additives and food preservatives—people such as nutritionists and dietitians—must also address the issue. The Liberal Party supports the Bill.

Mr GYGAR (Stafford) (5.06 p.m.): In debating the Food Act Amendment Bill, I take a few moments to draw the attention of the Government to some of the problems that arise from an overenthusiasm on the part of bureaucrats to comply with the letter of the law rather than the spirit of the law. I draw attention to one product, namely, milk. The Food Regulations currently require that if anything at all is put into milk or if anything is taken out of milk, a label must be placed on the container specifying exactly what is happening. Far from being an advantage in all cases, this can be significantly detrimental.

A widening body of public opinion is steering away from milk packaged in plastic bottles or in waxed, dioxin-containing cardboard cartons and wanting to obtain it in recyclable glass containers. Many people who would like to purchase their milk and their milk products in those containers cannot do so because under the present regulations, if a person wants to purchase Trim or any other modified milk product, the manufacturer must put a label on the container. The manufacturer just cannot put the product in a milk bottle. He cannot mark the cap of the bottle by either putting Dayglo orange stripes on the top of it or by saying, "This is Trim." The manufacturer must place a label on the outside of the milk bottle. Naturally, the milk-producers just cannot do that. Economically, it would be lunacy. If a milk bottle with a label is produced, the cleaning costs, the cost of stripping the label and the insertion of the new label would blow the costs through the roof and make it an economically unviable proposition. Therefore, those people who are interested in the ecology and who want to use recycled milk bottles and drink modified milk products are left out in cold. Under the regulations, the manufacturers cannot supply them with the product that they want. I suggest to the Minister that modified milk products could be readily identified by different milk bottle tops.

Mr Comben: Coloured glass.

Mr GYGAR: No. Mr Comben suggests coloured glass, but that would destroy the entire basis of what I am talking about. Milk-manufacturers want to use existing bottle lines for modified milk products. The increased costs of different coloured bottles would be beyond economic feasibility.

When homogenised milk was introduced, different coloured tops were put on the bottles so that people were in no doubt about what milk they were buying—whether they were getting pasteurised milk, which I happen to prefer, or homogenised milk. Why cannot Trim and other modified milk products be put into bottles and identified by strikingly colourful milk bottle tops that say, "This is a modified milk product."? If a bottle top with orange Dayglo stripes on silver had "Trim" stamped into it, there would be no risk of persons buying an incorrect product or a product that they were not aware of. Encouraging the continuation of milk bottle lines and the use of recyclable glass containers would be a significant contribution not only to the milk industry, which is missing out on a market, but also to the environment. I strongly recommend that the Minister consider that aspect.

For a long time the Milk Board has been trying to negotiate with the Health Department on this issue, but it cannot get to first base. The reason why the regulations were introduced must be remembered. Honourable members should not become so consumed with the bureaucracy of the issue that they lose markets for good, healthy

products that could be sold with no detriment to anybody. They should go along with the spirit of the law rather than the bureaucratic line-by-line proposals that are now being foisted upon them. I urge the Minister and his department to take the issue on board and to consider it.

Hon. I. J. GIBBS (Albert—Minister for Health) (5.10 p.m.), in reply: I thank the three honourable members for their contributions.

Mr Comben: I got up, too.

Mr I. J. GIBBS: That is right. I remember now. The honourable member was very rude to the Leader of the House.

I thank those members for agreeing to the legislation. They made a basic contribution that could be considered. Mr Gygar spoke specifically about milk bottles. Perhaps errors have occurred in packaging and perhaps the issue should be re-examined to decide whether the packaging of milk should be going in another direction. The issue will need to be discussed at a Health Ministers' conference to determine what is happening Australiawide or to make a few suggestions about what should be happening.

Mr Gygar mentioned how milk bottles were given red or blue tops when modified milk was introduced. There is no doubt that that system worked quite well. The milk industry has gone a long way towards keeping up with the modification of milks to suit diets of people of various ages.

I will take on board all of the issues that have been raised and examine them in detail to determine whether improvements should be made in milk packaging, marketing and the other issues that go with modern times. Recycling is being considered more than it was in the past. I thank honourable members for their contributions.

Motion agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr I. J. Gibbs, by leave, read a third time.

STATE TRANSPORT (PEOPLE-MOVERS) BILL

Second Reading

Debate resumed from 12 April (see p. 4545, vol. 312).

Mr HAMILL (Ipswich) (5.14 p.m.): Because this legislation sets out a comprehensive system whereby the Department of Transport can enter into arrangements for the establishment of people-movers not only on the Gold Coast but also throughout the State, the State Transport (People-movers) Bill might better be termed the "Gold Coast Monorail Enabling Act".

The Bill contains provisions which permit the Department of Transport, through the commissioner, to license people-movers for up to 25 years. Given the amount of capital that is needed in the establishment of a people-mover system, one would appreciate that a provision for a lengthy licensing period is not unreasonable in those circumstances.

It is fair to say also that, whereas many people would consider the legislation to be linked specifically to the introduction of monorail systems throughout the State, the legislation goes much further. Technology is changing constantly, and the very concept of a people-mover need not be harnessed specifically to the notion of a monorail as honourable members know it today.

Experimental programs have been undertaken, particularly in Europe, with other forms of rapid public transport that would also meet some of the needs that monorails, which are being touted as the answer to the needs of urban transport problems, would provide. There can be no doubt that the Gold Coast does indeed have a very serious urban transit problem.

We in the Opposition are obviously aware that the Government is pressing ahead with land acquisition for the re-establishment of a Gold Coast rail link. Obviously the establishment of a monorail system on the Gold Coast needs to link up with that other form of public transport in order to provide a more comprehensive system of transport for the residents of the Gold Coast. Anyone who has tried to negotiate the overburdened road system on the coast would be very much aware that the road system is overtaxed and that it is not a practical solution to the coast's transport problems to constantly endeavour to widen the roads when, quite frankly, such a laudable goal is unattainable given the high cost of real estate on the coast and the very high density of construction, particularly in the areas of Surfers Paradise, Main Beach and Southport.

Needless to say, the Opposition supports this legislation and welcomes it not only as a constructive step towards modernisation of the transport system on the Gold Coast but also holds it out as having the potential to enable the adoption of similar systems not only in Brisbane but also in our major provincial cities, all of which to some degree are experiencing the same sort of congestion caused by increasing volumes of inner-urban traffic.

However, the Gold Coast monorail proposal has not been without its controversy. One has been able to view the keen competition that has taken place among the four consortiums that have sought to obtain the preferred developer status from the Government. One of the consortiums was the Gold Coast Monorail Co., which is a consortium comprising TNT and Von Roll, which of course is the Swiss-based company whose technology was seen in place at the Expo monorail and the Darling Harbour monorail system in Sydney. The other partner in that consortium was Thiess Watkins. In the earlier stages two other consortiums were vying for the honours, namely Matra-Spie Batignolles, which was Matra Transport and Spie Batignolles, and the Gold Coast Consortium, which comprised Albem Pty Ltd, Allco Steel, Conrad and Gargett Pty Ltd and Lindsay Ekert and Associates. The other main contender was the consortium comprising Transfield, Siemens AG, Budget Rent-A-Car and Capel Court.

As I said, there was certainly some controversy and very keen rivalry among the consortiums for the honours, because it is an exciting project and each consortium was maintaining that its particular technology was indeed the most appropriate technology to put in place on the Gold Coast. Not only was there was controversy surrounding the competition among the consortiums but also considerable controversy on the Gold Coast itself.

One of the Minister's predecessors, the now somewhat discredited Mr Lane, encountered some controversy when he announced the Government's intention to press ahead with a monorail project.

Mr Lee: Did you say "discredited"? Is that all?

Mr HAMILL: It being late in the afternoon, I am being generous. I know that, as a former colleague of Mr Lane, the honourable member for Yeronga feels very strongly about——

Mr Prest: They are still friends.

Mr HAMILL: Still friends.

Mr Prest: He is always talking about him.

Mr HAMILL: I do not know whether "friends" or "kindred spirits" might have been the appropriate description. It certainly was a great disappointment to me to see

how the Minister betrayed not only the trust given to him by his former party colleagues such as the member for Yeronga but also the trust of the people of Queensland by the way in which he abused the system as a Minister of the State.

I have digressed slightly, but I will return to the business at hand, namely the controversy that surrounded the announcement of the monorail project by former Minister Lane. At that time, Alderman Lex Bell, who was an alderman on the Gold Coast City Council but who is now the Mayor, described the idea of introducing a monorail to the Gold Coast as "repulsive and hideous". Alderman Paul Gamin, who would certainly be known to many National Party members, announced that a council study had indicated that a monorail system would not ease traffic chaos on the Gold Coast. Also at that time, a community action group on the coast became quite active and was concerned about privacy and the detriment to the aesthetic environment of the coast, which to some extent I find rather amusing. Nevertheless, a number of community concerns were raised about the feasibility and desirability of the monorail project going ahead on the coast.

However, the Government has pressed ahead with the project. Quite frankly—and I say this expressing my own personal view—I really do believe that public transport on the coast has very few options and that a monorail system or a people-mover system is one of the very few options available to try to ease the particular problems experienced on the coast. Certain elements of concern still remain unaddressed in the discussions attendant on the introduction of a monorail system.

We have seen the somewhat unhappy experience of the TNT/Von Roll consortium with the Darling Harbour monorail in Sydney.

Mr Davis: Losing heavily, my friend. I have been down there recently.

Mr HAMILL: That occurred despite the contributions of a former shadow Minister for Transport to the revenue that TNT has been able to derive from the Darling Harbour system. I take on board the comments made by the member for Brisbane Central. It is losing heavily, despite the significant increase in fares which has just been announced by the monorail system.

Mr Davis: It broke down when I was on it.

Mr HAMILL: The honourable member mentions that the system broke down while he was a commuter on the monorail. He is not unique in that experience. The system has experienced a number of difficulties, both with machinery faults and other problems, and it certainly has not been a very good advertisement for monorail systems and their introduction in Australia.

It should be remembered, of course, that the preferred developer for the Gold Coast monorail is the collection of companies that were developers of the Darling Harbour monorail system. One would hope that the problems that have been experienced in Sydney will not be replicated on the Gold Coast.

Mr McKechnie: Can I just answer that?

Mr HAMILL: I am sure the Minister will have an opportunity later. I intend to ask a number of questions in the hope that he will take his opportunity later to respond to them.

Mr McKechnie: What I am saying is that Von Roll is actually a partner with Queensland Rail.

Mr HAMILL: As the Minister well knows, Von Roll is the owner of the technology. It is to be hoped that problems similar to those that occurred at Darling Harbour will not occur on the Gold Coast.

In some quarters, concerns have been expressed about the effects of corrosive salt air on the monorail. I am sure that that is a matter that would have received the

attention of the Department of Transport in its assessment of the relative merits and demerits of the technology and putting the system into place. One question that has been raised in many quarters and upon which the Minister may be able to shed some light is the matter of whether the State Government is coming to the party in any way, shape or form to assist the preferred developer with land or with any other material assistance to put in place the monorail system. For example, I wonder whether there is any Crown land that will be used for the 12 stations or for pylons? This is just a general inquiry.

Mr McKechnie: No.

Mr HAMILL: The Minister can explain that matter when he has an opportunity to reply.

As I said earlier, the four consortiums that are vying for the opportunity to put their technology in place on the Gold Coast have engaged in keen competition. It was only after the Parliament rose on 20 April that the decision that TNT/Von Roll/Thiess Watkins consortium was the preferred developer of the system was made public. At that time I noted—as, indeed, I am sure other members did—that there were outcries from major rivals, namely the Transfield group. I say "group" because more companies than just the Transfield company were involved. The most significant of that group is headed by a fairly media conscious Bob Ansett, who ran a very up-front campaign with full page advertisements in the metropolitan papers to extoll the particular virtues of the H-Bahn system in seeking approval from the Department of Transport.

I seek leave to table for incorporation in *Hansard* a copy of a letter that was sent to the Commissioner for Transport by Transfield in which it sets out some concerns with respect to the awarding of preferred developer status to the TNT/Von Roll consortium.

Leave granted.

Whereupon the honourable member laid on the table the following document—

4 May 1989

Mr. N.F. Kent,
Commissioner for Transport
Transport House,
230 Brunswick Street,
Fortitude Valley, Qld. 4006

Construction Group
Transfield Construction (Qld.) Pty. Ltd.,
183 North Quay,
Brisbane QLD. 4000
G.P.O. Box 2238 Brisbane 4001
Australia
Telex: AA42546
Fax: (07) 229 0110
Telephone: (07) 229 2477.

Dear Commissioner,

Re: Gold Coast People Mover Review of Proposal

Our Consortium, including many people in the business community, were extremely surprised to learn that the TNT/Von Roll/Thiess Watkins' Gold Coast Monorail Consortium was awarded the Preferred Developer status for the financing, design, construction, operation, and maintenance of a People Mover System for the Gold Coast.

Our Proposal has many strengths over and above that proposed by the Gold Coast Monorail Consortium:—

- Market Research

  We have undertaken detailed market research, including field work, to determine monorail patronage and growth, fare structure and price elasticity, walk distances to stations, and general attitudes to the proposed monorail system.

  The findings of this research have been the basis on which our Proposal has been developed.

- Marketer and Operator

  We have one of Australia's most dynamic market leaders, Bob Ansett and Budget Transport Industries, as the marketer and operator of our system. This organisation has an excellent success record, and has achieved dramatic growth in all its ventures.

- Monorail Technology

  Our technology, the Siemens H-Bahn certified urban railway transport system, is fully automated and driverless, and has operated in public service since 1984.

  Its operational computer control technology operates on three proven failsafe levels.

  It is capable of easy bifurcation and extension, travels at speeds of 50-80 kpm, and negotiates curves swiftly and smoothly.

  We are convinced that it is technically superior to the other proposed technologies.

- Monorail Route and Stations

  Commencing at Sea World and Southport, our Y-shaped route travels around the Broadwater, intersects at Main Beach, and proceeds down the Gold Coast Highway to Pacific Fair.

  It has 16 strategically positioned, short, compact, enclosed stations to service the passenger walk catchment areas determined by market research. The Preferred Developer is only providing 12 stations.

- Method of Financing

  Our financial structure has been declared in great detail.

  Our final funding offer required absolutely no support from the Queensland Government.

  The financial structure allows for a return to the Government, equal to, or greater than, that allowed for in the Invitation Document.

  It was our hope that meaningful negotiation could have been undertaken with the Department to refine the details of an acceptable structure.

- Aesthetic Appeal

  The sleek, modern design of the short, compact cabins, slung from a guideway of constant depth and width, is not as visually obtrusive as the low height guideways of the straddleback technologies.

Many of these strengths cannot be claimed by the Gold Coast Monorail Consortium. Nor do we believe that they can currently meet all the requirements of the Invitation Document.

Our Consortium's Proposal meets all the requirements of the Invitation Document, and is undoubtedly the best long-term people-mover solution for the Gold Coast. We believe that it is the best value for money.

As you would be aware, we have expended considerable time, money and effort on developing our Proposal. Accordingly, we wish to learn from the experience.

We therefore request the opportunity to meet with you and your assessment team to determine where our bid has been unsuccessful. This request is made in the spirit of open and accountable Government as espoused by parliament to the people of Queensland.

We look forward to receiving your reply and any queries that you may have concerning the above.

Yours faithfully,

Douglas Lambert
Special Projects Manager
Transfield-Siemens Consortium

c.c.—DOT People Mover Team
—Consortium Members

Mr HAMILL: Transfield/Siemens made a number of points in the letter. They suggested that they had undertaken detailed market research and that they had better technology, better marketing skills, better monorail route proposal, better financial structure and, indeed, better aesthetic appeal. One could perhaps describe it as sour grapes, but they certainly put up a very strong case in defence of the proposition that their technology was in some way superior. It has also been argued in relation to the successful tenderer that there was certain discontentment within the Department of Transport with respect to the evaluation studies that had to be done in awarding preferred developer status.

The material that has made its way to me suggests that key officers of the Department of Transport's mover evaluation team were disenchanted because they had claimed that original assessment reports produced by officers had been recalled and replaced by significantly modified versions and that the modified versions suggest that the Von Roll technology was placed in a more favourable light. Furthermore, they questioned certain claims made by Von Roll about comfort, the speed at which the system could operate and the financial structure of the TNT/Von Roll consortium. It was also claimed that the decision in favour of TNT/Von Roll was supposedly based on the fact that whereas other proposals required Government support, the TNT/Von Roll offer did not. I wonder whether the Minister can shed some light on these very serious allegations that have been made? I believe they are very worthy of response from the Minister and his department. I take on board the Minister's earlier assurance that there is no Government support going into this project—if I can interpret the Minister's nodding correctly—in terms either of land or material back-up.

Mr McKechnie: It is going over the highway; you know that?

Mr HAMILL: Yes, I am aware that it is going over the highway.

Mr McKechnie: There will be rental charges on stations.

Mr HAMILL: All right. I am seeking information from the Minister as to whether there are any other proposals from one or other of those consortiums that similarly sought no tangible support, other than the opportunity to place pylons along the highway or use the air space near the highway.

I would welcome the Minister's responses to the concerns I have raised. I am pleased that the Government has seen fit to take what is in many respects a bold step in respect to addressing the State's transport needs. I look forward with great interest to monitoring the progress of the Gold Coast monorail system. I look forward also to other companies coming forward and perhaps applying their technology to enhancing the resolution of what is really one of the great urban problems in this State—the problem of the provision of a vast, efficient and effective urban public transport system.

Mr BEANLAND (Toowong) (5.30 p.m.): The Liberal Party supports this legislation. Although it concerns the construction of the Gold Coast monorail, it will cover the construction of any future monorail in Queensland. Queensland is moving into a new era through the introduction of this kind of legislation. The Gold Coast monorail is currently the only monorail under consideration by the Government. There has been a great deal of controversy surrounding this monorail. TNT, one of the members of the consortium that is involved in the Gold Coast monorail, also operates the Sydney monorail. I trust that the Gold Coast monorail will not disfigure the Gold Coast in the same way that the Sydney monorail has disfigured parts of Sydney. The route of the Gold Coast monorail has been changed and rearranged. I understand that the present route is acceptable to all concerned and will not disfigure the Gold Coast.

Great care must be exercised in the planning and construction of a people-mover of this kind. Some people believe that it is simply a matter of developers moving in, slapping in a monorail and away they go! That is not the case at all. It must be something that people can be proud of and look up to, and it must be able to move a large number of people in a short period of time.

The fares on the Sydney monorail have doubled within a period of 12 months. I do not believe that the fare structures for the Gold Coast monorail have yet been announced. No guarantees can be given that any initial fare structure will be adhered to by the Government. It has offered the contract for the construction of the monorail to the Gold Coast Monorail Company. The details of that contract have not been announced, because that company is only the preferred developer and the details have to be worked out over a period of time. No doubt the Minister is in the process of working out the details of the contract, if they have not been concluded already. This

House ought to be informed of the arrangements concerning fare structure and how the system will operate.

One of the requirements placed upon the preferred developer was that the monorail be an automatic operation. My understanding is that the Gold Coast Monorail Company will initially install a system that has to be manned; at the outset it will not be an automatic system. The Sydney monorail is still manned and last time I visited Sydney I rode on the monorail to find out how it was functioning. For the past 12 or 18 months the monorail has not had a good history and has suffered a number of breakdowns. I understand that most of the bugs have now been ironed out.

Care needs to be taken in the engineering aspects of the monorail. Whilst everyone looks at the Expo monorail as some sort of a model, that monorail was not the same type of construction that will be needed on the Gold Coast. Another matter that must be taken into account is the effect that the salt air on the Gold Coast might have on the materials used in the construction of the monorail system. It is important that that extra wear and tear be taken into consideration. It is also important to ensure that the salt air will not eat away the machinery and affect the operation of the system over a short period. If that occurs, the monorail patrons will have to pay additional costs through a marked increase in the fare structure, until in the end the monorail will not be the success that it ought to be.

The previous speaker referred to serious allegations that have been made concerning the Gold Coast monorail. The Leader of the Liberal Party asked a question in this House on the subject. The question concerned a number of matters, but, as is normal, the Minister replied generally. He indicated that the Government was prepared to have the Public Works Committee investigate all aspects of the project. That is all well and good, but in the last three years many Ministers have stated, "You may investigate this, that and anything else." As a result there have been all sorts of revelations. In his reply I hope that the Minister clears up some of the rumours that are currently circulating. These rumours are very serious and are still circulating. It will not suffice for them to be simply swept under the carpet.

In a question to this House the Leader of the Liberal Party, Mr Innes, asked—

> "During the assessment period was the home of the senior officer the subject of threatening phone calls relating to the documentation and was the home of that senior officer broken into? Is the Minister prepared to have the matter of the Gold Coast monorail proposal referred to the parliamentary Public Works Committee for full examination?"

The Minister did not cover that aspect in his answer, but the Leader of the Liberal Party also asked—

> "Did the assessment team use a points system for the objective assessment of the merits of each proposal? Were the points awarded to that time changed during an overseas absence of the officer in charge and was the documentation changed?"

These are serious allegations, and if the Minister does not have the answers already I am sure that he will find them if he goes back to his department. I hope that he can give this House a very forthright answer.

Other allegations have been made about this proposal, including one that the Government has favoured this preferred tenderer. I understand that this was the only company to tender that did not ask for some financial input from the Government. This matter must also be cleared up by the Minister in his reply. I also understand that the Government is not putting any funds, land or other infrastructure or component into the operation that is to be undertaken by the TNT consortium. One of the people involved in the consortium, Mr Bob Ansett of Budget, and other people have made a number of allegations which have not been satisfactorily answered. I do not think a sweeping answer will suffice. These allegations need to be answered separately and independently so that this matter can be cleared up. While this Bill is under debate, there will never be a better opportunity to clear the air on this matter. If that does not

happen, the allegations will continue over months and no doubt years, particularly if in the future this consortium gets into some type of trouble with the undertaking of this operation.

It is easy for the Government and all of us to claim that it will be a success. We hope it is a great success, but of course we do not know that it will be. The one in New South Wales was going to do all sorts of things, but it did not have a very good beginning. It has had all sorts of problems. As I mentioned before, in a very short space of time the fare structure has doubled. There are still some technical, mechanical problems with the operation of that monorail.

I am not sure if the Government has proposals to put monorails elsewhere or to call for expressions of interest from developers for other monorails. Perhaps one or two places might be suitable for one. There has been talk of putting a tramway around Brisbane. I notice that the alternative Minister for Transport—I refer to the Attorney-General—seems to think that he is the Minister for trams and has promoted a tramway within the city. Obviously he does not drive through the city. I can understand the council's concern about his proposal.

Perhaps we ought to be looking at a way of getting over some of these transport problems and considering a monorail around parts of the city. I know that at one stage that was considered from the Expo site across to the city. I would like to hear from the Minister what the Government's proposals are in this regard and how far these sorts of investigations have gone in his department.

They are the main points I wish to raise, but I trust that, in his reply, the Minister will clear up these very serious and worrying allegations that have been made about the Gold Coast monorail.

Hon. P. R. McKECHNIE (Carnarvon—Minister for Transport) (5.41 p.m.), in reply: I thank honourable members for their contributions. The honourable member for Ipswich asked whether or not Crown land would be provided to those who have been nominated as the preferred developer. Perhaps the honourable member for Toowong may like to listen, because I will also answer his comment at the same time.

The bottom line is that the route is well known. It will be on public land—on the highway. Written into the expressions of interest that were called was that the Government did not want to contribute anything further than that. It is my understanding that, if the people involved in the expression of interest want to use Crown land for stations, a rent will have to be paid on that. I am aware of no other land being involved.

The honourable member for Ipswich also asked whether or not other consortiums were after further Government help. The people who wanted the light rail system, the French system, were ruled out early for other reasons. That is not controversial. I say to the honourable member for Ipswich and the honourable member for Toowong that there is no doubt in my mind that the other two that were left in the race definitely wanted Government assistance over and above what the Government wanted to give.

I should also say that the group that has done most of the complaining got in my door before the decision was made many times more than anyone else. I do not know how many times I spoke on the telephone with a chap by the name of Guido. He even rang me on a Sunday at my mother-in-law's place before I went to Cabinet. I had a voice problem, but I listened to him even though I could not talk back. Nobody had a fairer go than Guido.

I am well aware of certain accusations that have been made about a difference of opinion in the department. I think that is what the honourable member for Toowong was referring to, whether directly or in a de facto way. I called in the Commissioner for Transport—the deputy commissioner is here tonight—and some other officers and I said, "I am not prepared to go to Cabinet until I get a unanimous view from the Department of Transport." A meeting was held at which the commissioner and deputy commissioner were present. The differences of opinion to which the honourable member for Toowong was referring were well and truly ironed out within the department. My

advice was that people within the department, including those who earlier had a contrary point of view, were happy with the final recommendation that I took to Cabinet.

In the final analysis, in my opinion it gets down to the financial cost to this Government. The technologies were all good. Let us be very practical about this. One can split straws all day about the different technologies offered, but they were all good. So the recommendation I made to Cabinet was based on finance—what it would cost the people of Queensland.

Except for the French expression of interest, all groups were given a second go, but the two that missed out came back for a third go. One group has bellyached very loudly and wrote the letter to which the honourable member for Toowong referred. I gave no undertaking to either group that their third go would even be considered. Goodness me, how many times did they want to come back in relation to an expression of interest? However, regardless of that, even after the third go, the opinion of Treasury was that there would be a Government contribution. The people who were bellyaching doubt that. However, I would sooner take the advice of Treasury than that group, particularly when I gave it a greater hearing than any other tenderer to ensure that no allegation of misconduct could be levelled at me or at anyone else.

The honourable member for Toowong was correct when he said that they were serious allegations. However, they are without basis. I said that I was happy for the matter to be referred to the Public Works Committee. I understand it has been so referred and I have written to the chairman. When that letter is read, I am sure that it will be accepted. If it is not, I am not concerned. The Public Works Committee can investigate the matter, because there is nothing to hide.

The honourable member for Toowong mentioned the Sydney experience. I assure him that I received a letter from the Liberal Minister in New South Wales who had most dealings with the matter—I had it before I went to Cabinet—stating that he is happy with the technology and that his department has solved the problem. Of course, Queensland's technology will be better than that in Sydney.

The honourable member for Toowong also mentioned trams and other matters. The bottom line is that the Brisbane City Council is carrying out a traffic study and the result will be announced tomorrow. My department has a close working relationship with the Lord Mayor through an advisory committee comprising the Lord Mayor, Mr Gunn and me. We will build on that study of the Brisbane statistical region, which takes into account other councils as well. In co-operation with the city council and the other councils involved, we will spend $1m on a study into public transport, which will include trams and other matters.

I have answered the queries raised by the two members who have spoken in this debate. I thank them for their contribution.

Motion agreed to.

Committee

Clauses 1 to 40 and schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr McKechnie, by leave, read a third time.

TRAFFIC ACT AMENDMENT BILL

Second Reading

Debate resumed from 12 April (see p. 4546, vol. 312).

Mr HAMILL (Ipswich) (5.50 p.m.): The amendments to the Traffic Act are minor but significant. They allow for greater flexibility for local authorities to regulate parking.

Honourable members know that parking is a major problem in urban areas. The amendments also allow greater flexibility for local authorities to introduce systems of payment other than the systems whereby coins are fed into parking-meters. The Opposition has no quarrel with the Government about the provisions of the Bill.

I take the opportunity to mention a matter concerning parking that has been raised with me. It concerns a difficulty that has been experienced by a number of people, particularly elderly people, at the Brisbane Transit Centre when vehicles draw up to allow people to alight with luggage and to proceed to the station platforms. There has been some considerable complaint by intending travellers and by those who wish to take elderly relatives or disabled people to that centre that the policy that is applied by the franchise-holders of the parking facility is that vehicles have only a very limited period in which they can pause to allow passengers to alight.

To give an indication of the depth of feeling, I had delivered to me a petition of sorts—it is not in the correct form that would enable me to table it properly as a petition before the House—which I table now for the information of honourable members.

Whereupon the honourable member laid the document on the table.

Mr HAMILL: The petition sets out the problem and gives an indication to all members and the Minister of the depth of feeling that exists in the community about the fact that only a very short period is allowed for a passenger to alight before a parking charge is levied upon the vehicle. Many elderly people avail themselves of the opportunity to exercise their passes on Queensland Rail. Obviously, it is a matter for the franchise-holder at the parking station, but those people who are not able to move with as much agility as young people, particularly if they are burdened with luggage, would appreciate greater consideration being given to them in their endeavours to move quickly from their vehicle to the train.

The Opposition has no opposition to the Bill.

Mr BEANLAND (Toowong) (5.53 p.m.): The Liberal Party supports the legislation. As has already been outlined, it covers two major initiatives in relation to parking. However, I want to refer briefly to a couple of other matters.

First of all, I want to talk about lollipop ladies, or lollipop people, whom the Government appoints to supervise the various schoolcrossings. I understand that for some time there has been a hold-up in having additional lollipop people or traffic-supervisors appointed at schools because of a lack of funds.

Mr McKechnie: It's been fixed up.

Mr BEANLAND: The Minister has indicated that it has been fixed. That is very good.

For some time there has been a delay. Parents have been very concerned when they have not been able to get lollipop people appointed because of a lack of funding. I knew that things were happening down the line to allow this to change, and I am pleased that that has now been put in progress and that where additional lollipop people or crossing-supervisors are required, providing they meet the guide-lines, they can now be obtained.

Another matter I want to refer to is random breath-testing. I understood that, with the introduction of random breath-testing, the Government had allocated approximately $600,000 to the Police Department to acquire random breath-testing signs so that there would be a large supply of them when the police were conducting random breath-testing. After all, the police are not out there just to catch people and to raise revenue. They are out there to put fear into people and, with the use of plenty of signs, to discourage people from drink-driving. That is one of the ways to do it.

For some time now there has been a lack of signs indicating that random breath-testing is in progress. In fact, during the first few weeks of operation, when there was a lack of signs, there were a number of near accidents. I know that when I was pulled up

by the police I thought that there had been an accident. It turned out that they were conducting random breath-testing. I could not see any signs. There were no signs. It was a miracle that I did not run down the policeman. In fact, because he did not indicate very clearly, I did not even know that he wanted me to stop.

Over some time I received a series of complaints. I wrote to the then Minister for Police and made very strong representations for the Government to allocate funds so that the Police Department would have adequate signs indicating that random breath-testing was being conducted. That seems to have fallen on deaf ears. More and more of my constituents are being pulled up for random breath-testing. They do not mind being pulled up for that purpose. However, there are still no signs out as to what the dickens is going on.

I do not know whether the Government is short of money or whether it has changed the system and it is no longer going to have signs indicating that random breath-testing is in progress. However, I can certainly remember that that was part of the discussion when random breath-testing was implemented. Funds were to be allocated. That is part of the way in which random breath-testing operates. After all, the police are not out there just to pull people up, put them on the bag, test them and conduct some revenue-raising and take away licences. They are out there to discourage people by adopting a very high profile.

Although I think the work that the police are undertaking is fine, because of the lack of signs they are not getting that high profile. That needs to be given some attention. I have not yet read of any policemen being run down when they are in the process of pulling people up for random breath-testing, but I am sure that it will not be long, judging by the way some of them get around the road when they pull people over. Some work still needs to be carried out in order to get the police force up to the mark. They are not out there revenue-raising; they are out there saving human lives, cutting down the road toll. One of the important ways to do that, of course, is to keep up a very high profile. It is something that the Liberal Party has supported over a period of time, and it was very pleased, of course, to see random breath-testing introduced in this State.

I was going to touch on a few other matters, but in view of the hour I will not do so. It is pleasing to see some of the changes that the Government has introduced. However, I must say that a lot of things still need to be done to get the road toll under control in this State. I am very angry, of course, at the abolition by one of the Minister's predecessors of the Road Safety Council and the replacement of it with the new Transport Committee. I would like to hear in the Minister's reply just what the new Transport Committee is doing because, although there are some very fine people on that committee, with respect, we do not seem to be getting the throughput of material and the changes that I believe the Minister's predecessor promised with the abolition of the Road Safety Council and the introduction of the new Transport Committee on Road Safety.

There are many areas in which the Government can still tackle many road-safety problems.

Hon. P. R. McKECHNIE (Carnarvon—Minister for Transport) (5.58 p.m.), in reply: In view of the lateness of the hour, I will undertake to provide the information to the honourable member who has just spoken and pass on his concern to the police.

Motion agreed to.

Committee

Clauses 1 to 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr McKechnie, by leave, read a third time.

Sitting suspended from 6 to 7.30 p.m.

BILLS: REMAINING STAGES

Abridgement of Time

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (7.30 p.m.), by leave, without notice: I move—

"That so much of the Standing Orders and Sessional Orders be suspended to enable the following Bills to be passed through all their remaining stages in this sitting week—

Constitution (Extension of Duration of Parliament) Bill;

Constitution (Referendum) Bill;

Referendums Bill; and

Electoral and Administrative Review Commission Bill."

Mr INNES (Sherwood—Leader of the Liberal Party) (7.31 p.m.): Today, a package of Bills of some considerable significance was put before the Parliament. The Bills are history-making. No previous Government in the history of this State has attempted to go past the period of time limited by our Constitution. The legislation put before this House hangs together. There are three Bills relating to the referendum and there is a Bill relating to the proposals of the Fitzgerald report for electoral and administrative reform. During the debate on that Bill initiated by the Premier, a draft Bill of some enormous consequence to this State was tabled. A period of consultation was supposed to take place to enable the implementation of the Fitzgerald report recommendations.

Mr Ahern: That is what the tabling of the draft Bill was about today.

Mr INNES: Gradually, some attempt to explain what has gone on takes place, but certainly many members in this Chamber were rather bemused this morning to receive a number of Bills, to look at them and to see their terms.

Mr McPhie: Couldn't you take it all in?

Mr INNES: The member for Toowoomba North interjects, "Couldn't you take it all in?" There is one thing that is perfectly clear: the logs on the Government side of the House cannot seem to get anything right. If anything had taken place as a result of the Fitzgerald report, one would think it would be that there would be some simple, straightforward commitments to straightforward principles and straightforward actions. There has been none of that. There has been deception, dishonesty and a lack of courtesy.

Mr Ahern: You were given the Bill last week, and you ought to tell the people that, too.

Mr INNES: I will tell the people exactly what has taken place. It will not be my version; it will be an accurate statement because I do not believe in making inaccurate statements. After a process that was supposed to involve——

Mr McPhie: Like the other accurate statements you make! What about being fair dinkum with us for a change?

Mr INNES: Let us just deal with the straightforward recitation of what has gone on.

Mr Prest: Why have you got to answer that idiot over there?

Mr INNES: I could not have put it better myself.

A period of consultation was supposed to take place in which I understood that we were all sufficiently chastened or impressed—whatever the reason was—by the Fitzgerald report that, in combination, we would take some action and all make a contribution to the finding of some common ground.

About 10 days ago I found precisely what happened with consultation. At about 7 o'clock one evening I was contacted by the implementation group and asked if I would be home later in the evening. I said, "Yes, I can be." I was to be shown some draft legislation. At about 8.30 p.m. or 9 p.m.—that is not a reflection on the implementation people themselves; they were obviously working under enormous pressure—I received some draft A4-typed legislation. I was asked to have responses to it within 24 hours—by 5 o'clock the next night. Irrespective of my diary and my commitments, I was initially given less than 24 hours.

Mr Ahern: That is a scurrilous reflection on the implementation process.

Mr INNES: It is not a scurrilous reflection. I make no reflection; it is a precise statement of accuracy.

Somewhere between 8.30 p.m. and 9 p.m. I received the legislation because I happened to be home at that time. I was asked to have submissions back by 5 p.m. the next day. As it turned out, I said that that was impossible. It was 9.30 a.m. the following day when I made a response to Mr Forster. At that time I expressed to him my regret that the response was not in the terms which I would have liked had I been given proper time to make in-depth considerations and even suggest and propose some drafting amendments to the Bill.

I will not go into the precise details of what was discussed. There were a couple of major matters of concern to me. What I saw at that stage was a single Bill which set up the commission, the parliamentary committee and the skeleton or the mechanics by which (a) electoral reform would be investigated and (b) administrative reform could take place. It was without communication.

Last week I made a telephone call to inquire what had befallen my suggestions. I was not given any concrete response, because there was apparently nothing concrete determined. That was the only substantial communication I had in the entire process until the legislation was introduced into the Parliament today. Nobody indicated to me that there would be two Bills. Nobody indicated that there would be another package relating to the referendum. For the moment we assume that the referendum is somewhat independent or a sideline to the main issue. I would have thought that the process of consultation would indicate that there were to be two Bills. I would have thought that the process of consultation would indicate some response to the couple of serious objections which I raised as well as the other less-important objections which I raised to that Bill. However, there was nothing.

The consultation process was a total farce. Frankly, I believe that what has gone on with these Bills is what one understands has gone on. There has been a battle in the Cabinet. Some members of Cabinet and no doubt some members of the National Party are troubled by and opposed to some of the broader proposals of the legislation which the Premier couches with Mr Fitzgerald's imprimatur.

Mr McPhie: You're making this up. You tell us who they are if you know so much.

Mr INNES: I ask the honourable member to let me speak about the things that I know and he will find that they are accurate.

I turn now to the Premier's record. The Premier attached Mr Fitzgerald's name to the draft Bill. The earlier Bill was not couched with quite the same words or assurances. That Bill, which relates to the setting up of the electoral commission, states that that commission will terminate if the referendum is lost.

From a legal point of view, I find it intriguing that the two Bills do not have a relationship. That makes me very suspicious and confirms my view that the consultation

processes never came together. The Bill that honourable members are to consider sets up a commission. The draft Bill, which is in similar terms, apparently will be passed some weeks into the future. One would expect a transitional provision and expect the second Bill to say, "This amends the earlier Act" or "this repeals and replaces", but there is no such transitional provision. Honourable members are not told how the two pieces of legislation will stand together.

Mr Ahern: You're sparring at shadows, I'm afraid.

Mr INNES: No, not shadows. The Premier is just dirty dealing. That is the reality.

Mr AHERN: I rise to a point of order. I take strong exception to the honourable member's rhetoric. I ask that he withdraw the remark.

Mr DEPUTY SPEAKER (Mr Burreket): Order! The Premier asks the Leader of the Liberal Party to withdraw the statement.

Mr INNES: I will withdraw the phrase "dirty dealing".

The process of consultation that should have taken place did not take place. The Liberal Party takes great objection to the provision of the Bill relating to alleged consultation. It provides that the Minister, who will be responsible for nominating the members of the commission and the chairman, will consult with the leaders of the other parties or with the all-party committee.

The Liberal Party has had deep and bitter experience of consultation National Party-style, which means that the National Party tells us what it is going to do. Last year, in a significant breach of an undertaking, although the Liberal Party was promised that consultation about its support of Fitzgerald legislation would take place, absolutely no consultation occurred. The Liberal Party was told about the appointment of one of the significant figures who took up some part of the Fitzgerald inquiry only after it occurred.

The breach of undertakings and the politicisation of appointments is and was so extensive under this Premier and his predecessor that, frankly, the Liberal Party cannot have confidence in this Government. If the commission gets off to a wrong start and if the Liberal Party is not consulted or entitled to indicate its concurrence with the appointment of staff, frankly this legislation gets off to an impossible start. There should be concurrence of the Premier, the Leader of the Opposition and the Leader of the Liberal Party, or the all-party committee if that is set up earlier. If honourable members are to have confidence in the report that is brought down by the commission they must have confidence in the people who form that commission.

Ten days ago I put the process on notice. The Liberal Party will not accept a situation in which this Government allows its Minister—after talking at us and without our concurrence—to come up with the most essential feature of the whole exercise, which is—as honourable members know from the appointment of Mr Fitzgerald—the personalities or the people who will man the commission.

Mr Ahern: You intend to subvert it; I think that's what you're saying, really.

Mr INNES: No. The Liberal Party's jaundice about the Premier's and his predecessor's administration is such that when it comes to appointments, whether it is the QIDC, the harbour boards or the other appointments—there is legion and legend—politicisation is so ripe in this State that the Liberal Party cannot have confidence in something in which there is not the active participation and concurrence of the representatives of all parties—be that a select committee or be that party leaders. The Premier's credibility is shot on that issue, which is essential to the whole process.

It has taken some time for members of this House to understand the interrelationship of the three Bills that have been put before this House. In introducing history-making legislation in this State it is spectacularly audacious for the Government to ask for an abridgement of time. This legislation is quite extraordinary in terms of the publication of a draft Bill in similar but extended terms with a primary Bill in the case of the EARC

legislation. The legal complexities are significant and a whole bundle of electoral legislation relates to the referendum. When one takes into account the number of occasions in this House when honourable members have said that they will not support the limiting of time for consideration of legislation, it is astonishing that the Government has asked for an abridgement of time.

The Fitzgerald inquiry criticised very severely the operations of the Cabinet of this State. Mr Fitzgerald stated that so many things have been done in secret, in haste or without the necessary parliamentary mechanisms of accountability and investigation. That the Government starts off this new era in this fashion is mind-boggling. The Liberal Party opposes the Government's attempts to limit the time for consideration of this legislation and opposes the way in which this Government is starting off this new era of allegedly independent review and reform. It is not the vision of excellence; it is truly the vision of squalor.

Mr BURNS (Lytton—Deputy Leader of the Opposition) (7.45 p.m.): On behalf of the Labor Party I object to the gagging of debates. That is what this motion is all about. These five Bills, about which four speeches were made by the Premier, are going to be put through the Parliament this week. Standing Orders provide that six full days should be allowed within which members can study those Bills before they are debated.

Mr Fitzgerald made it quite clear that he believes—and I think the people of Queensland believe—that the parliamentary process should be cleaned up and that the Opposition and everyone in the Parliament should be given the opportunity to be fully consulted on and involved in the Bills. I know that the Premier will say that he gave the Leader of the Opposition and the Leader of the Liberal Party a Bill. He did not give one to me and he did not give one to the other 84 members of Parliament. I understand from my leader that an instruction was given that the Bills not be distributed or made widely available and that since then that instruction has been changed.

That is not the way in which consultation is undertaken. It is no wonder that the people of Queensland will be asked not to trust the Premier and his party on this issue. As members of Parliament, under the Standing Orders, we are entitled to be involved in this process. As the member for Sherwood has just said, this is a historic process. I can find only one instance in the history of this country in which any other Parliament has asked to have its term extended in this way. That occurred during World War I. It has never before occurred in Queensland.

The Government spent $24m on the Fitzgerald report and I think it is going to spend about $10m on the referendum and get a colossal hiding.

Mr Ahern: That's a lie, and you know it.

Mr BURNS: If I add to that figure the $20m of public money that the Premier will spend advertising himself in the referendum, I can make it $30m that will be spent on the referendum campaign, if the Premier likes.

All of that is put together yet all the Premier can say is that he is bringing the Parliament back to debate this most historic piece of legislation for only three days. It seems to me that the Premier has something to hide or something that he wants to push under the cover very quickly. That comes back again to the question of trust. We in the Opposition do not trust the National Party on this issue. We do not trust the motives of the Leader of the House on the issue.

Mr Austin: You've cut me to the quick.

Mr BURNS: We believe that he cannot be trusted on the issue. On previous occasions in the House he has been shown to be untrustworthy on these issues. For that reason alone we oppose the motion of the Leader of the House to restrict the debate to only three days.

Hon. M. J. AHERN (Landsborough—Premier and Treasurer and Minister for State Development and the Arts) (7.48 p.m.): The responses of the opposition parties are not

unexpected. The propositions that are before the House for determination this week relate to a referendum process and a process to establish a review commission to carry out, in accordance with the commissioner's recommendations, a review of the zonal system and a redistribution. Three full days of sitting have been set aside, on the first of which, at the first available opportunity, the legislation was made fully available. The more complex issue has been presented for determination by all parties and the public of Queensland for a much longer period. But the sensitive issues have been set down for debate for three days. For experienced parliamentarians, those simple propositions can be easily debated.

What has to be expected during the coming weeks on behalf of the joint opposition parties is an approach to delay so that the referendum cannot meet its guide-lines, so that there can be at some point in time someone who stands up and says, "It's all too late now. We can't have it."

Mr Hamill: You know all about delay. We could have had electoral reform this year but you procrastinated.

Mr AHERN: That is what it is about; it is an exercise in procrastination. It is all about delaying tactics to assist the Opposition's "No" campaign.

To let the public of Queensland know and understand what is happening here, I point out that there is in concert an action to delay the process so that both parties can say, "Ah, but it is all too late now; it can't happen." Frankly, the people of Queensland are too smart to allow themselves to be confused by those sorts of delaying tactics. It is nonsense. Again the opposition parties are acting in concert with a hidden agenda, an agenda they are not talking about—a trick—so that they can say to the public of Queensland, "Now our experts tell us it is all too late; it can't happen within this very strict time-frame and therefore the 'No' vote is the only approach." I am not prepared to accept that; nor are the people of Queensland.

Question—That the motion be agreed to—put; and the House divided—

AYES, 44	
Ahern	Lester
Alison	Littleproud
Austin	McCauley
Berghofer	McKechnie
Booth	McPhie
Borbidge	Menzel
Chapman	Muntz
Clauson	Neal
Cooper	Nelson
Elliott	Newton
Gamin	Perrett
Gately	Randell
Gibbs, I. J.	Row
Gilmore	Sherrin
Glasson	Simpson
Gunn	Slack
Harper	Stoneman
Harvey	Tenni
Henderson	Veivers
Hinton	
Hobbs	*Tellers:*
Hynd	FitzGerald
Katter	Stephan

NOES, 37	
Ardill	Prest
Beard	Santoro
Braddy	Schuntner
Burns	Scott
Campbell	Sherlock
Casey	Smith
Comben	Smyth
D'Arcy	Vaughan
De Lacy	Warburton
Eaton	Warner
Gibbs, R. J.	Wells
Goss	White
Hamill	
Hayward	
Innes	
Knox	
Lee	
Lickiss	
McElligott	
Mackenroth	
McLean	*Tellers:*
Milliner	Davis
Palaszczuk	Gygar

Resolved in the affirmative.

CONSTITUTION (EXTENSION OF DURATION OF PARLIAMENT) BILL

Second Reading

Debate resumed (see p. 32).

Mr GOSS (Logan—Leader of the Opposition) (7.59 p.m.): The position of the Labor Party in relation to this legislation—and, indeed, the whole package of referendum

legislation put before this House today that will be rammed through under the suspension of Standing Orders—is that we regard the whole package as a sham because the referendum will not be passed. The Nationals know that it will not pass, and they never ever intended that it would pass. The truth is that, on his grand entrance into the National Party conference recently, the Premier simply proposed to float this idea as a diversionary tactic, but when it was leaked to the media prematurely by one of the factions of the National Party, the Premier panicked, the National Party conference stampeded, and the Nationals put this legislation through because they believed that it was the only diversionary tactic they had left to try to get themselves out of a desperate political problem.

I say without any hesitation or equivocation that this package is a dishonest sham and a dishonest waste of $5m to $10m of public money that could be spent on schools, roads and many other worthwhile projects instead of on a National Party diversionary tactic. If the Nationals were genuine about electoral reform, they would have moved to implement it before the scheduled 1989 election.

At the time of the release of the Fitzgerald report on 3 July, the Opposition said that it could be done. Subsequent advice proved that it could be done. This was backed up by a range of independent experts and commentators including Dr Colin Hughes, Professor Coaldrake, and Professor Wiltshire from the Queensland University. In their dishonesty, the Nationals declined to move on its implementation. It was only when the results of independent and National Party polling became available and they realised that they were down the drain politically that they thought that they had better come up with this diversionary tactic. This is the so-called master-stroke that has been falling apart ever since. The people of this State are cynical about it. Basically, the people do not trust this shonky referendum proposal, and the main reason for that is that they do not trust this National Party Government any more.

The process that the National Party has committed itself to is one that will be completed in a period of six months as soon as the commissioners are appointed. This six-months process will be completed by 31 March 1990 with the Christmas/New Year period in between, which shows that it could have been done earlier. In 1977 the Nationals and the Liberals together completed a redistribution over a period of five months with no trouble at all. They can do it when they want to and when the political will exists. But this time, instead, they have engaged in this dishonest referendum proposal, as well as a whole series of dishonest statements and campaign tactics, in an endeavour to get themselves out of trouble and fool the people of this State.

The Labor Party wants electoral reform, but it does not trust this Government or its package. We support the EARC concept and the task that that commission has to carry out, but because this Government cannot be trusted, we will not support its being in charge of the process of reform and review.

At this stage the Labor Party has identified 11 fundamental problems or defects with this package which make it impossible for the Opposition to support this referendum or to ask Queensland people to trust this referendum. The Opposition wants and needs more time to consider the proposal because it is being rushed through this House in typical National Party fashion, without adequate consultation, despite the Government's professed commitment to and desire for bipartisan support. I will briefly outline the 11 fundamental defects or problems with this legislative package.

Firstly, there is an absence of trust. Neither the Labor Party nor the people of this State can trust the National Party because its whole history shows that it cannot be trusted when it comes to fundamental reform. In his first interview during the first month after his election to the position of Premier, this Premier was asked about one vote, one value and he squibbed on the reform, saying that the present zonal system was National Party policy. This underlines the fundamental problem with this Premier: he is run and controlled by Sir Robert Sparkes. The Opposition cannot and does not trust the greatest crony of them all, Sir Robert Sparkes, and the boys from the bunker

who run this Government. This National Party will never dismantle the electoral system that is so fundamental to its clinging to power.

The second defect in the legislation is that it contains no legal or constitutional guarantee that reform will be carried out before the election. We know of the breath-taking capacity of this Government and its advisers to create a crisis, diversion, explosion or pretext to drag the public agenda away from where it should be. I believe that the Government will call a State election next year on some pretext, be it World Heritage listing, States' rights, the Premiers Conference or whatever else it can think of in order to go to the people before the reform and review process is in place.

The third fundamental defect is that the commissioners are yet to be appointed. The Opposition and the people of this State are being asked to support and commit themselves to a process of review by people whose identity is unknown. The Labor Party will not buy a pig in a poke. It is completely wrong and unacceptable to ask the Opposition and the people of Queensland to sign a blank cheque for a party and a Premier who cannot be trusted. The Opposition will not do it, and in particular it will not do it when it does not know who the individuals are who will be carrying out this process of reform.

The fourth fundamental defect or problem with this legislative package is that the National Party Cabinet has the final say on the appointment of the commissioners.

Debate, on motion of Mr Austin, adjourned.

ELECTORAL AND ADMINISTRATIVE REVIEW COMMISSION BILL

Second Reading

Debate resumed (see p. 30).

Mr GOSS (Logan—Leader of the Opposition) (8.08 p.m.): I could treat the House to a repetition of my speech thus far, but there is no point because the whole exercise is a sham. I am happy to continue. Tonight this House is debating a package that is fundamentally flawed and cannot be trusted.

As I was saying before the House returned to debating the correct legislation, the fourth fundamental defect is that the power of the appointment of the commissioners is vested in the National Party Cabinet. Once again, this raises questions of whether or not they can be trusted.

Mr INNES: I rise to a point of order. What is this farce? What legislation is this House debating and in what order? It is unbelievable that, after the shambles of this morning, one is not even paid the courtesy of being told in what order the legislation will be presented. We have had a change of direction in the middle of a speech being made by the Leader of the Opposition. Taking into account that we have already trampled on Standing Orders, what legislation is this House supposed to be debating and in precisely what order?

Mr DEPUTY SPEAKER (Mr Burreket): Order! I take it that the Leader of the Liberal Party did not hear the order read out by the Clerk. The House is debating the Electoral and Administrative Review Commission Bill.

Mr GOSS: Mr Deputy Speaker, I can assure you that I am debating the Electoral and Administrative Review Commission Bill.

The fifth fundamental defect, or problem, with this legislation is that of consultation. This National Party and this Premier have failed repeatedly to consult in the spirit recommended by Mr Fitzgerald in his report at various stages since it was issued.

Government members interjected.

Mr DEPUTY SPEAKER: Order! There is too much cross-talk in the Chamber.

Mr GOSS: On the last occasion when this Government promised consultation on an important issue, it broke its promise—it broke its word given in this House. The Government, through the Attorney-General, gave an undertaking—a promise—in this House to consult with me and, I believe, the Leader of the Liberal Party in relation to the appointment of the three judges to conduct the Parliamentary Judges Commission of Inquiry into Mr Justice Vasta and Judge Pratt. We were given that promise in this Parliament by the Attorney-General, and the promise of consultation was broken by this Government.

Instead, what happened was that minutes before the announcement of the three commissioners I, as Leader of the Opposition, was advised whom they were to be. In other words, it was a token, sham consultation, despite the solemn promise—the solemn undertaking—given in this place. The Government has broken its word once this year; it will break it again. It cannot be trusted.

The sixth fundamental defect, or problem, with this legislation is that the parliamentary select committee is controlled by the National Party. This committee, which is so vital in terms of the consultative and review process, is controlled by the Nationals, once again raising for us the spectre of the fundamental question of trustworthiness.

The seventh fundamental defect, or problem, in the legislation is that the Electoral and Administrative Review Commission is tied to a reform based on 89 seats. I want to know why. I believe that the independence of the commission is taken away by forcing it to adopt an electoral system that has 89 seats. If all other questions are to be left to the EARC, why not this question as well? This legislation contains 18 references to the zonal system. Why is there this obsession with the zonal system? Is it because Sir Robert Sparkes said that he was absolutely confident that the commissioners would come up with a report that upheld the zonal system? Is that why there are so many references to it? As far as I am concerned, if Sir Robert Sparkes says we can be confident about the outcome of the inquiry, we can be confident that he knows the outcome of the inquiry. That is further evidence that the National Party cannot be trusted.

For example, the various aspects of the legislation that the commission has to look at contain repeated references to the zones, and also references to electoral districts, the names of seats and so on. But why do we have to be locked into 89 seats? Why is there no reference to the Hare-Clarke system? I do not support that system, but why is that not included? That is a legitimate process that is supported by a lot of people. There is no reference to preferential voting or first-past-the-post voting. Why is the independence of the commission being removed in any consideration of the number of seats?

The eighth fundamental defect, or problem, with the legislation is that there is no commitment in the legislative package if the referendum is defeated. Of course, this is fundamental, because the Government knows that the referendum will be defeated. The Government thinks that this is a very clever tactic, because, if it is defeated, it thinks it can go to the people of this State and say, "Well, it shows that the people of Queensland are not too concerned about the electoral system." Of course, Sir Robert Sparkes had the arrogance and the cheek to actually say that on the Wednesday of the National Party conference.

What the National Party is now starting to realise is that when it comes to Sunday morning, 15 October, and the referendum has been defeated, two arguments will be put forward to the public of this State as to why the referendum was defeated. The first of those two arguments will be the false one advanced by the National Party that people are not too concerned about the electoral system. It will have a tough job to persuade the public on that. The second argument, the one that will be put to the public by the Labor Party, is that they rejected this referendum and this Government because they do not trust the Nationals. For any Government to be defeated just four to six weeks before a general election is fatal, but to be defeated on the basis that it could not be trusted is absolutely fatal, and this Government deserves its fate.

Let me return to this eighth fundamental defect, or problem, that is, the absence of a clear-cut commitment or guarantee if the referendum is defeated. The Nationals

know that it will be defeated, but the legislative package contains no timetable as to the reform or review process if the referendum is lost. This exposes their lack of good faith even further. In this regard I refer honourable members to the very last clause of the legislation, clause 5.6, which contains no timetable and no commitment if the referendum is defeated, as it surely will be.

The ninth fundamental defect, or problem, with this package and with the integrity of this Government is that the reform could have been carried out by the time of the scheduled 1989 election. I know that some people on the other side have been prattling on and making dishonest statements about a petition launched by the Labor Party. The dishonesty of those claims is based on a deliberate and dishonest misreading of the petition. The petition circulated by the Labor Party did not call for the election to be delayed; it called for the electoral reform to be carried out before the 1989 election, something that the Nationals were never prepared to do, because they support the corrupt electoral system, which is the only way that this corrupt Government has been able to cling on to power. No longer can it cling on to power.

Mr Newton: You are locked into the Federal system.

Mr GOSS: If the honourable member is going to interject, I would ask him to interject in English.

The tenth fundamental defect or problem with the legislation is that the referendum empowers an extension of the term in office of the Nationals until July 1990. If that was all that they were genuinely after, that is, an extension of time to carry out the reform and review process, they would have given an undertaking that they would act as a caretaker Government in a caretaker capacity. They have not done so. If that was what they were after, they would have given an undertaking to act as a caretaker Government, to undertake no major legislative policy changes, to make no judicial or other significant appointments, to fund no Government advertising to support the National Party, to have Parliament sit on routine non-controversial issues and in a review capacity, and to undertake no major projects involving Government funds. No such undertaking to act in a caretaker capacity has been given. If the referendum was purely and simply about a desire to extend the term of the Parliament to carry out the reform and review process, that undertaking would have been given. However, that is not the Government's desire. The referendum is about a different and dishonest agenda designed to try to extract the Nationals from their political problems. There is no genuine commitment to reform at all.

The eleventh and final fundamental defect or problem with the package—when we have had time to examine the legislation in more detail, there may be more—is that the Nationals support and will be arguing for the retention of the present corrupt system. For Sir Robert Sparkes and the Premier to go out in public and to argue to the EARC, which they will finally appoint, for the retention of the present system shows contempt for the Fitzgerald report and is a basic repudiation of the Fitzgerald report and its criticism of the present system. That, combined with Sir Robert Sparkes' absolute confidence that the present corrupt system will be retained, gives us grave cause for concern as to the trustworthiness of this Government.

Mr Gately: Tell us how you are going to legalise homosexuality in Queensland.

Mr GOSS: There is the gaggle at the back. The member for Currumbin, as we know, came to this place in highly dubious circumstances in relation to his residency in Queensland and his enrolment on the Queensland electoral role.

However, leaving the member for Currumbin to one side, as the people of Currumbin will surely do in December, let me conclude——

Mr Gately: Tell us how you are going to legalise homosexuality in Queensland.

Mr GOSS: In response to the interjection from the member for Currumbin—I neither know, understand nor care about his obsession with homosexuality. That is his problem and his concern and I leave it to him.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Burreket): Order! There is too much conversation in the House.

Mr Gately interjected.

Mr McLean: Shut up, you mug!

Mr DEPUTY SPEAKER: Order! I ask the member for Bulimba to temper his language in the House. If he is going to interject, he should address the speaker.

Mr GOSS: I will make a couple of specific references to the legislation. The consultation should not be only between the Minister and the parliamentary committee; it should also be with the Leader of the Opposition and the Leader of the Liberal Party.

In relation to the section dealing with the functions of the commission, there is reference——

Mr Hinton: They are like the Public Accounts Committee; you can't trust them.

Mr GOSS: Somebody should call a doctor for that man. For the member for Broadsound to be talking about trust is absolutely unbelievable. He is the only member of Parliament who can sign statutory declarations and witness his own signature, as the courts of Queensland have so found, and without any appeal to a higher court from the member for Broadsound.

The part of the legislation dealing with the functions of the commission makes provision for the commission to furnish a report together with maps of proposed zones and so on. For the process to be completely honest, the commission should also publish the submissions made by the various parties and other individuals. If the submissions had been published on the last occasion, we would have seen that the submissions of the National Party were identical with the decision brought down by the redistribution commissioners. If this process is to be kept honest, the publication of submissions is essential.

Let me reaffirm the Labor Party's commitment to electoral reform. Let me reaffirm its commitment to the Electoral and Administrative Review Commission and the task that it has to carry out. Furthermore, let me most importantly reaffirm that the Labor Party does not trust, and it will not ask the people of this State to trust, the National Party with the reform process. It simply cannot be trusted. That will be shown dramatically on 14 October when the people of this State go to the election booths and reject the Nationals and the referendum for the fundamental reason that they do not trust them. They will not take kindly to $5m to $10m of their funds being wasted on this diversionary tactic. When they come back four weeks later to vote against the Nationals again, they will be even less well disposed to a party that cannot be trusted and that wasted $10m of their money on a cynical public relations trick.

This referendum comes down to a question of trust, and the National Party will find that it has been damned by the people of this State because it cannot be trusted with the government of this State for one day longer.

Mr HENDERSON (Mount Gravatt) (8.23 p.m.): I have tremendous pleasure indeed in supporting this package of Bills. Not only is this an historic time in Queensland but also what the people of Queensland are being given is an iron-clad guarantee of possible reform, and that is very, very good indeed.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! The House will come to order.

Mr HENDERSON: The reason that the Government cannot say that there will definitely be reform is that it cannot pre-empt any decisions of the EARC. It is up to that commission to make that decision. I do not want to gaze into any crystal ball

tonight and try to pre-empt what that commission may or may not decide. That is entirely up to the members of that commission.

Mr R. J. Gibbs interjected.

Mr HENDERSON: What I want to do is examine some of the objections to this package of Bills that the Liberal and Labor Parties have been raising. I want to deal with each of those objections, not in my words but in the words of respected political commentators. The most common objection that is heard from the ALP and the Liberal Party is that it is an attempt by the Nationals to draw up more corrupt boundaries.

Mr R. J. Gibbs interjected.

Mr HENDERSON: The *Courier-Mail* of Monday, 24 July attributes these comments to the Leader of the Opposition—

> "Mr Goss said the Nationals had shown over 32 years that they could not be trusted on the crucial issue of fair and honest boundaries."

Mr R. J. Gibbs: You helped the crook from overseas who defected back to the United States. It's the same sort of thing.

Mr DEPUTY SPEAKER: Order! I warn the member for Wolston under Standing Order 123A.

Mr HENDERSON: The Leader of the Liberal Party went so far as to say, "It's like trusting an alcoholic with a bottle of gin." They are the two comments that have been made by the leaders of both of these parties. What I ask is this: are these claims true? The fact of the matter is that they are patently false. The reason for that is that a totally independent commission will draw up any new boundaries, if it decides that new boundaries have to be drawn up. But that decision will be made by the EARC. Everyone knows that that is true.

For example, on 23 July 1989 the editorial in the *Sunday Mail* stated—

"His opponents—"—

and the "His" is the Premier, Mr Ahern—

> "Mr Goss and Mr Innes—might say they smell a rat, but now that the Nationals' kitchen cabinet has effectively been relieved of its direct role in creative cartography, the presence of a rat, far less a smelly one, is very hard to prove."

That is a fact. The Opposition and the Leader of the Liberal Party go on about this rat that they can smell, but everyone knows that they cannot smell it at all.

The editorial in the *Courier-Mail* of Thursday, 20 July makes an even more interesting comment on this particular situation. The editorial, of course, urges the people of Queensland to vote "Yes". It states as follows—

> "By staking all on an election later under revised boundaries (ones on which the National Party has not had an influence over and above that of any other party), he might still lose. But he would leave office with the personal satisfaction of having let the people have their say.
>
> The boldness of the Premier's step lies not simply in his being a leader who is prepared to risk ultimate defeat, but in his being prepared to place the future of Queensland before his party's priorities."

That suggests to me that in this whole episode, the only person displaying any statesmanlike qualities is the Premier of this State, Mike Ahern.

Another rather interesting comment appears in the *Courier-Mail* of 10 July 1989 in a letter to the editor which contains some interesting information in relation to the processes. The letter is by a J. J. Stumm, Mundoolun Road, Jimboomba. The letter, under the title "Slowly does it", states—

> "Two items have been overlooked which should have stilled the countless frenzied statements that the Fitzgerald Report recommendations will be ignored.

First, Tony Fitzgerald is clearly incorruptible and it should have been reassuring that he and a parliamentary draftsman are drawing up the legislation to change the Queensland electoral system. Thus, despite what has been said by Messrs Gunn, Goss, Innes and others, Mr Fitzgerald will determine the form of the legislation and the timetable for its implementation and, unless the Government unduly delays introducing it to parliament, it will have no say in the matter.

Second, Dr Victor Prescott, the highly regarded and impartial political commentator from Melbourne, said on ABC radio on July 7 that a year was the shortest time in which the necessary changes could be implemented. This is more realistic than the claim that only three months is necessary.

Let us make haste slowly. Many can recall the damage done by a few weeks of ad hoc decision making when the exuberant Gough Whitlam and his gang of five came in out of the cold in 1972."

That particular letter is very, very good because it points again to the fact that the respected political commentators such as Dr Victor Prescott have clearly said that the process could not be completed before the next State general election and that extra time had to be found.

I direct the attention of honourable members to a comment that is well reflected in a letter to the editor by Mr Cec Medcraf of Wishart Road, Mount Gravatt. The letter, which appeared in the *Courier-Mail* on 31 July 1989 under the heading "Referendum and review", sums up the position as it really is. Everyone knows that this is the correct position. Mr Medcraf writes—

"I am getting fed up to the teeth with Wayne Goss and Angus Innes saying they oppose the referendum because they do not trust the National Party to carry out electoral reform.

Goss and Innes both know the National Party will have nothing to do with the review of the electoral system in Queensland. That review will be carried out by the Electoral and Administrative Review Commission. The National Party, like many others in Queensland—including the ALP and the Liberals—will no doubt make submissions to the EARC.

But to suggest that the Nationals control it is rubbish. The review will be honest, open and independent. And that is why I will be voting 'yes' in the referendum."

Everyone knows that the sentiments expressed in that letter are absolutely correct. Moreover, the way in which the Leader of the Opposition and the Leader of the Liberal Party have misrepresented the role that the National Party is presumed in their own minds to play in this amounts to nothing more than a deliberate smear campaign. The ALP and the Liberal members have in fact begun a campaign designed to deliberately distort the public understanding of Commissioner Fitzgerald's comments on electoral reform. The ALP and the Liberal members have implied that Mr Fitzgerald had condemned the existing boundaries and zonal system. That is blatantly untrue.

On page 127 of his report, under the heading "Electoral Laws", Mr Fitzgerald has clearly stated—

"If it"—

the independent electoral review commission—

"finds that there is a justification for the present system, it should assess the appropriate zones and what, if any, special considerations ought to apply in different zones."

It is clear from Mr Fitzgerald's comments that he has not reached any firm conclusion about the nature of any electoral reforms as the ALP and the Liberals would have the public believe, nor was he prepared to pre-empt the findings of the electoral commission. That is very important because time and time again Opposition members have attempted to pre-empt the findings of the electoral commission. There is no guarantee that it will

recommend any reform. Any recommendations are purely speculative. The possibility of reform is merely that—a possibility. It is not a certainty. Government members challenge members of the Opposition and members of the Liberal Party to give a "lock, stock and barrel" commitment to the findings of the independent electoral review if it should agree with noted political analyst Malcolm Mackerras that the so-called Queensland gerrymander is as much a myth as the Loch Ness monster.

If one wants to assess how the exaggerations on the other side of the Chamber flourish and indeed grow, I call the attention of honourable members to the comments by the Deputy Leader of the Opposition. Tonight he said that the cost of the referendum will be about $30m. That is how the cost has grown over the last couple of days. I must confess that at least the Leader of the Opposition had the common sense tonight to acknowledge that it will probably only cost about $5m.

I direct the attention of honourable members to the tendency of the Labor Party to keep referring to so-called cronyism in the National Party. I found interesting a nice little letter to the editor in the *Sunday Mail* some time ago which posed a very simple question: why is it that cronyism in the National Party is referred to as mateship in the Labor Party? In fact, that is precisely how Opposition members talk about all the mates that they look after.

Mr Beard: Do you condone it?

Mr HENDERSON: I am not condoning it at all, and the honourable member knows that.

Mr Beard: You sound as though you condone it.

Mr HENDERSON: I cannot help it if the honourable member does not understand plain English.

I direct the attention of the House to the ongoing allegations that somehow or other this system will advantage the National Party. In the *Courier-Mail* of Thursday, 20 July 1989, the editorial made some very interesting observations. I would like to quote two of them to the House. One observation stated—

> "Fair boundaries almost certainly would cost the Nationals some seats. The electors might also be hard on both the Labor and Liberal parties, particularly if they persist with their view that Mr Ahern's initiative is just another National smokescreen. In a fair election, it would be policies which count."

I remind honourable members of the comment that I made earlier, that is—

> "The boldness of the Premier's step lies not simply in his being a leader who is prepared to risk ultimate defeat, but in his being prepared to place the future of Queensland before his party's priorities."

The comment from Opposition members that it will advantage the National Party is absolutely ridiculous.

The other comment to which I draw the attention of honourable members is the editorial in the *Sunday Mail* on 23 July 1989. It is rather interesting because once again it exposes the hypocrisy of both the opposition parties. The editor states—

> "What Mr Ahern has offered is a new deal—at the very least, the chance of a new deal—that goes, to all intents and purposes, the whole way on reform. There is to be an independent commission, though its make-up will require some careful scrutiny, and a categorical undertaking to implement its findings.
>
> In the end analysis, unless Mr Ahern is pulling a very fast one indeed, the parties which claim they are disadvantaged by the National gerrymander can only benefit by an independent review. There are strong grounds for suggesting that it would be better to fight on fairer boundaries than to go in, hopes high, against the rural bulwark that historically has maximised the National vote at the expense of Labor.

In effect, he has pushed Labor and the Liberals into a corner. It is directly in their interests that an independent commission examine and redraw the boundaries: they have been saying that all along. Now that exactly this proposition is coming from the Government, the wind has been taken from the sails Mr Goss and Mr Innes hoisted . . ."

If it is argued that the commission will advantage the National Party, that is a vote of no confidence in the EARC. Before it has begun its deliberations members opposite are saying, "We don't trust it. We have no confidence in it. It is not independent at all." That is a defamation of the EARC and a vote of no confidence in it.

In the *Courier-Mail* of 27 July 1989 on page 4, the Queensland Council for Civil Liberties, which, in the past, has never been noted for its enthusiastic support of the National Party, urged voters to vote "Yes" under the heading "Yes vote best hope for reform".

Mr Hamill: Read the rest of the article.

Mr HENDERSON: The honourable member can read the rest of the article.

I turn now to comments that have been made by Haydn Sargent. All honourable members know that he was an ALP candidate in the State election. One could not say that he is an enthusiastic admirer of my party. After all, if he stood for the Labor Party one would assume that that is fairly reflective of his political philosophy, unless he has changed.

In an editorial of 25 July 1989 Haydn Sargent said—

"Mr Ahern has outsmarted them again, this time on the question of building in to the legislation the promise of reforms. And I can't see how people can possibly advocate a no vote on this referendum."

I repeat what Mr Sargent said—

"I can't see how people can possibly advocate a no vote on this referendum."

A little later he said—

"They are seeking an opportunity to extend Parliament to appoint the Commission according to Mr Fitzgerald's recommendations. To hear arguments about the boundary system in Queensland. Not to do it the way the Labor Party wants it or the Liberal Party wants it, or for that matter the National Party wants it. But an independent open inquiry and if that committee appointed is not independent, if the inquiry is not open, then I think Mr Ahern will deserve a resounding defeat at the election. But I really cannot see how people can advocate a no vote for this referendum."

Those words are being echoed around this State. How can one advocate a "No" vote on this referendum?

The greatest hypocrisy of all in the whole issue is the Labor Party's pirouetting where it stands. Tonight in this House the Leader of the Opposition referred to the petition that the Labor Party is circulating around the ridges. That petition is titled "Petition calling for honest electoral reform before the next State election". It states—

"To: The Honourable Speaker and the Members of the Legislative Assembly of Queensland in the Parliament assembled:

The humble petition of the undersigned residents of Queensland respectively showeth:-

That following the recommendations of the Fitzgerald Report, Queenslanders are concerned that later this year they will have to cast their vote in a state election whilst the current electoral boundaries remain in place.

We, the undersigned electors of Queensland, do humbly pray that:

1. in the next State Election, the electors of Queensland be allowed to vote on honest and fair electoral boundaries, subsequent to investigation by the new Electoral and Administrative Review Commission, and further

2. that an election not take place until the Commission has made its recommendations to the Queensland Government and new and honest electoral laws and boundaries are in place."

Mr Stephan: Who sent that out?

Mr HENDERSON: The Labor Party sent that out.

The Leader of the Opposition said that the review should be carried out before the next State election. If that is true, why is the Labor Party not out on the streets of Queensland getting this petition signed? Why is it that the Labor Party nearly died in its efforts to retrieve the petition?

Mr Elliott: They went quite cold on it.

Mr HENDERSON: Yes. Members of the Labor Party almost died in their efforts to get back the petition and put it through the shredders so that no-one could see it.

The Labor Party's proposition was that an election not take place until the commission has made its recommendation to the Queensland Government and new and honest electoral laws and boundaries are in place. That is precisely the proposition that the National Party Government is putting forward.

I turn now to some comments that were made by John Stubbs in the *Sunday Sun* of 27 March 1989. Mr Stubbs is a very good political journalist who is fortunate to have a wife who is a research officer to a Labor senator. No doubt Mr Stubbs would be aware of what is happening within the Labor Party. In that article he said—

> "Last week the Labor Party was circulating a petition calling on people to request that the next election not be held until the new boundaries were in place.
>
> Some grass-roots party members who have been circulating this petition have already indicated that they will find their position rather ludicrous when they are asked to campaign against a referendum guaranteeing electoral reform."

That is exactly what has happened. The Labor Party's position has become ludicrous.

An article that appeared in the *Courier-Mail* on Monday, 24 July 1989, took up this theme. It said—

> "On Saturday, Mr Goss said genuinely independent commissioners could reach only one conclusion—a one-vote, one-value approach. If they did not, he would 'cross that bridge' when he came to it."

Mr Goss is circulating a petition. He wants the people of Queensland to sign it and to ask for an independent commission to determine a fair and honest electoral system. Mr Goss then says that the only fair and honest electoral system is one vote, one value. What does that make this so-called independent commission when the Leader of the Opposition is trying to pre-empt what it should or should not be doing?

The article continues—

> "Mr Goss' stance is contrary to what the Labor organisation said a week ago, when it began raising a petition saying the next election should be delayed until the fairness of electoral boundaries was decided.
>
> Mr Innes, who believed seats could have beeen re-arranged in time for the election due by the end of the year, said mid-1990 now seemed an impossible target."

According to this newspaper report, not even the Liberal Party can make up its mind.

A very interesting situation arises with the Citizens for Democracy movement. Two weeks before the National Party announced the referendum, that little group was running around yapping to all and sundry that a referendum should be held.

Mr Sherrin: Aren't they the same group who had on their membership the same people as are on Labor's policy documents?

Mr HENDERSON: That is right. If one looks at the list of authors on the front of all the Labor Party's policy documents, one will see that they appear to be the same people as those who are members of the Citizens for Democracy movement. The same names appear.

Honourable members should note that two weeks before the National Party announced the referendum, the Citizens for Democracy movement was running around screaming to high heaven for a referendum. The moment the National Party announced the referendum, what happened? It no longer wanted one. It suddenly changed its mind. That suggests to me that those in the Citizens for Democracy are nothing more and nothing less than a mob of stooges for the Labor Party, and I think everyone is waking up to that.

Perhaps one of the best summaries appeared in the *Townsville Bulletin* of 27 July 1989, in which the editor stated—

> "On the value of the referendum, it appears the Labor Party at least has had a change of mind.
>
> A referendum to delay the election and allow time for electoral reform was not the brainchild of the National Party. The possibility was first raised publicly in Queensland by the Australian Electoral Commissioner, Dr Colin Hughes, whose services were commended to the Government by the Prime Minister, Mr Hawke. At that time, neither Opposition party spoke against the idea.
>
> The referendum option also was canvassed by the Council for Civil Liberties president Mr Stephen Keim while criticising the Government for delaying the reform process. Mr Goss was reported to have echoed Mr Keim's criticisms. And it has been reported the Labor Party itself was raising a petition calling for the election to be delayed before the Government announced the idea."

What is interesting is the fact that Dr Colin Hughes was the person who first suggested the referendum, and none other that the Prime Minister of this country said, "That's a good idea. We recommend the services of the Australian Electoral Commission to the Government of Queensland." Now the Labor Party is running around like a headless chook trying to distance itself from this theme.

Perhaps the greatest condemnation of all of the Labor Party is when it claims that the Government is going back on Mr Fitzgerald's recommendations; that the Government does not mean it. In the *Sunday Mail* of 6 August there appeared a letter from A. Britton of Talwood which stated—

> "If we are going to take the gerrymander away from the Nationals, wouldn't it be only fair to take the ABC and Quentin Dempster away from the Labor Party?"

I think many people would probably agree with that statement.

The *Townsville Bulletin* canvasses the point about, "Who is given the guarantee?" It should be remembered that Mr Goss has only given a big "maybe" to accepting the recommendations of the EARC. An excellent editorial appeared on this aspect in the *Townsville Bulletin* of 27 July. It stated—

> "On the point of trustworthiness, it must be remembered that Mr Fitzgerald did not advocate redrawing electoral boundaries. He called for an independent review and immediate implementation of any reforms suggested. It must also be remembered that no government can be held accountable—other than at the ballot box—for its promises.
>
> In that context, Mr Ahern's undertaking on Monday—that the referendum Bills would provide automatic adoption of electoral reforms decided by the Electoral and Administrative Review Commission and would ensure an election by July 7, 1990—goes as far as is realistic. Throughout the debate, his party has reserved the right to defend the current zonal system and oppose new boundaries but now states it will accept any decisions on redistribution.

For those seeking genuine electoral review, the statement by Labor leader Mr Goss on Saturday looks relatively shabby. Mr Goss said genuinely independent commissioners could reach only one conclusion, to endorse the one-vote, one-value approach to which Labor is committed. If they did not, he would 'cross that bridge' when he came to it.

And the Liberal stance, given Mr Innes' expectation last week that his party would form a coalition with the 'remnants of the other private enterprise party' after the election also must be suspect. In the heady bargaining for a coalition deal, the Liberals' as yet poorly defined stance on electoral reform can be expected to be a prize political football."

Today the Government has exposed the massive hypocrisy of the Labor Party, and I think the Liberal Party cannot escape it, either. I will conclude my speech by referring to the *Courier-Mail* of Saturday, 5 August 1989, in which appeared the so-called Cromwellian statement attributed to Mr David Fraser—and honourable members may remember that this in fact is a misquote; Cromwell did not say this. The quote reads—

"You have sat here too long for the good you have been doing. Depart, I say, and let have done with you. In the name of God, go."

I want to remind this House that the last time that the Liberal Party said those words, one of the most honourable and decent people ever to sit in this House was leading that party. His name was Sir Llewellyn Edwards. What did honourable members opposite do? Their words to Llewellyn Edwards were, "In the name of God, go." That is exactly what happened. They threw him out on his head. Who were the people opposite who engineered all that? None other than the present Leader of the Liberal Party, Mr Angus Innes, aided and abetted by his two chief lieutenants, the present member for Stafford, Mr Gygar, and the former member for Mount Gravatt, Mr Scassola. They were the three principal plotters against Llew Edwards. That was the very statement they made in one of the most dishonourable and despicable incidents that occurred in the history of this Parliament. That is precisely the message that the Liberal Party gave to Llew Edwards. Then it had the hide to try to rack its comments up to some respectability by quoting——

Mr INNES: I rise to a point of order. I find the member's remarks offensive and I ask them to be withdrawn.

Mr Lee: Untrue, too.

Mr INNES: Untrue and offensive. I ask them to be withdrawn.

Mr DEPUTY SPEAKER (Mr Burreket): Order! The Leader of the Liberal Party finds the comments made by the member for Mount Gravatt offensive and asks for them to be withdrawn.

Mr HENDERSON: I withdraw them, Mr Deputy Speaker.

Mr BRADDY (Rockhampton) (8.54 p.m.): The package of legislation that is before the House has to be looked at in the total context of what it sets out to achieve. If the legislation is passed and if the referendum is passed, the legislative package primarily achieves the goal of extending the life of this Parliament in an unprecedented manner. It is therefore obligatory upon members of this Parliament first and foremost—and not members of the media, the public or the Citizens for Democracy—to ensure that the cause and reason for extension of the life of this Parliament are so overwhelmingly certain and just that the life of this Parliament should be extended. Therefore it is mandatory on members of this Parliament, particularly members of the Opposition, to ensure that the circumstances warrant such an unprecedented action.

Members of the Labor Party cannot satisfy themselves that those conditions apply. In what circumstances do these pieces of legislation come before the House?

This Government is dead in the water. Every political commentator in this State knows that if this Government were to go to the people, it would lose at least half of

the members of Parliament who are presently occupying the Government benches. This legislation is obviously a shoddy and shonky idea that is designed to extend the life of the Parliament for approximately 12 months from the present time, yet the member for Mount Gravatt has attempted to justify that position. The member has consistently risen in this Parliament and attempted to justify the electoral system. He is a man who has dedicated his time in this Parliament to justifying the system, but he is also one of the people most likely to be defeated at the next election. He is one of the sitting National Party Brisbane members and he is a man who knows desperately that he needs more time to survive. Every piece of research and every public opinion poll shows that at an election held now this Government would be defeated and would lose all its Brisbane and near-Brisbane members. There is absolutely no political commentator in this State who would not argue that position. What we have here is a Government that is seeking to extend its time.

The member for Mount Gravatt, Mr Henderson, selectively cites an editorial in the *Courier-Mail* published on Thursday, 20 July to justify the position of the Government. This editorial was rushed out shortly after the referendum announcement was made. There are some conditions set out in it to which the member for Mount Gravatt, in his selective citing, did not refer. I take this opportunity to present that editorial in more detail. One very important condition that the *Courier-Mail* suggested should apply before this Government should have its time extended, so that it may hold office till as long as July 1990 before it faces the people, has not been mentioned by the member for Mount Gravatt in his speech. The honourable member's speech was a typical example of a National Party member with his back to the wall and with his electorate being lost around him, as he and all his colleagues would know.

The condition that the *Courier-Mail*, among others, suggested should apply before the referendum should be passed and the life of this Parliament extended is that the Government should agree "not to put other new legislation to the House for passage during its six-month extended term." What that really summarises is that if this Government is to be given an extension of time, it should play the part of a caretaker Government. That principle is not unknown to Western democracies when unusual or unprecedented events occur. Honourable members might recall that when the Whitlam Federal Government was dismissed by a former Governor-General and Mr Fraser was appointed as Prime Minister—in spite of the fact that the Government of the day had the support of the Lower House—Mr Fraser was given the Prime Ministership only on the basis that he would form a caretaker Government.

The *Courier-Mail* stated, in effect, that it would at the initial stage support the idea but that the condition I previously mentioned had to be fulfilled. Where is that condition contained anywhere in this legislation? Where is there any reference to a caretaker role? There is no such reference.

If any Government should give an undertaking to govern only in a caretaker role, it is this Government. I say that because it is this Government that has been criticised in the Fitzgerald report in several important respects. Any Government that has consistently, as this Government has, spent tax-payers' money on advertising and promoting itself—action for which it was explicitly and roundly condemned in the Fitzgerald report—should confine itself to a caretaker role. However, this Government has said, in effect, "Give us an extra six months". It has asked for even longer than that because the Government will have to face the people this year if no extension is forthcoming.

No undertaking in relation to being a caretaker Government has been given. There has been no undertaking to govern only to achieve what is necessary in terms of appropriation, and there has been no compliance with the suggestion made by Mr Fitzgerald that the Government should stop spending public money on Government advertising, which is really just a disguise for advertising the National Party in this State. This Government has in fact continued to spend public money in that corrupt and dishonest manner, as it has done for years. It now asks the Queensland people to give it another six months so that it can spend millions more dollars of tax-payers' money

in a forlorn attempt to keep itself in office. In spite of all that, the member for Mount Gravatt selectively cites the *Courier-Mail*'s editorial.

When people say that certain measures should be supported on the condition that certain events will take place, those conditions have to be met. This Government cannot say that the *Courier-Mail* supports the Government's position on this issue completely and whole-heartedly because the Government is not complying with the conditions that were published in the editorial.

Out of all the honourable members in this House I am as well placed as any to say that the conditions that this Government should apply to the legislation must be watertight and shackled to the Government so that it must carry them out. I was the member who received an undertaking from the Attorney-General that he would consult the Opposition and Liberal Party about the appointment of members to an important commission. That is another important point. The real problem concerning the commission that is to be set up under this legislation is who will be appointed to the commission. Unfortunately, some of the naive statements made by commentators show that they take it for granted that, because the commission should be independent and impartial, somehow or other, by that wish, the event will take place.

The Attorney-General broke his undertaking to the Parliament. He did not consult the Opposition and the Liberal Party before appointing the members of the commission that was established to inquire into the conduct of Mr Justice Vasta, as he then was, and Judge Pratt. When I pursued the Attorney-General in this place all I received from him was personal abuse, which he was forced to withdraw by the Speaker. He then gave me a wishy-washy answer that he had not consulted the opposition parties because he had to go overseas. Does this Government have any understanding of what conditions or solemn undertakings to this Parliament are? Clearly it does not, and there can be no more precise example than the appointment of a commission—the very crux of this whole matter—and the Government broke its word. No apology was given.

Mr Innes: In respect of which they got support for the legislation.

Mr BRADDY: Exactly. The Opposition gave that support. I refrained from making some comments in a speech that I otherwise would have made on the basis of that undertaking, which I accepted at the time.

I will never again accept this Government's word on anything. Not only did it break its word, but also it failed to apologise to this Parliament or to me. All that the Opposition received was abuse, a wave of the Attorney-General's accusatory finger and the statement that he had to go overseas. The Attorney-General is not the Government. Clearly he could have made arrangements. It was not a matter of little moment. The appointment of commissioners who were to look for the first time in the history of this State at the conduct of a Supreme Court judge was a matter of great importance. It was not a light matter and, for a man who holds the office of Attorney-General to give an undertaking not to make the appointments without consultation, and then not to apologise or offer any regrets, is clearly a matter about which he should receive strong condemnation. I raised the matter with his Premier, the leader of his party and of his Government, but again nothing was forthcoming in terms of regrets, and no indication was given that it was an oversight.

What can the Opposition make of that? Acting as the guardians on behalf of the people of Queensland, the Opposition has determined that this Government cannot be trusted. In this legislation the Government says that it will consult. I ask: will that consultation be the same as it was before the Pratt and Vasta commissioners were appointed, when five minutes beforehand the Leader of the Opposition and the Leader of the Liberal Party were told the names of the commissioners that the Government intended to appoint? Is that the nature of the consultation, because there is no definition of "consultation" in this legislation? It contains a requirement to consult, but no right is given to the select committee of the Parliament to veto the appointment of any of the commissioners. No right of veto is given to the Leader of the Opposition or the

Leader of the Liberal Party. All that we know is that at some stage, and in some way that is undefined or imprecisely set out, this Government will consult.

Out of all honourable members in this place I am as well or better placed than any to say that I reject the Government's word. I demand that the legislation spell out how the consultation takes place and that it makes it very, very clear that the commissioners will only be appointed if they have the support of all the parties in this Parliament, and that shonky consultation will not be the method used. This Government stands indicted and condemned for a breach of its undertaking in a very important matter of consultation only a few months ago, and yet today it has the gall to say in this House and throughout Queensland, "Trust us. We have iron-clad guarantees. It's in the legislation." It is not in the legislation. It is too imprecise and unclear.

No-one in Queensland will blame the Opposition for saying that this legislation is all about trying to buy time for this Government until July next year; time to hope and pray for a miracle that it might survive. The Opposition believes that the people of Queensland can already see through this undertaking because of the unreliability of the Government's word. No-one in this place who knows how this Government has behaved can honestly trust it. The Opposition will not be railroaded by some selective quoting of a few pundits in the media. For three years honourable members in this Parliament have seen how the National Party has behaved as a Government. The Opposition has seen what it has failed to do. This Government has pork-barrelled electorates in a desperate attempt to survive. At the present time I know how much money is being spent by the Government in electorates near mine in a desperate attempt to survive. The Government comes to this House and asks me to give it another six months so that it can spend millions more dollars trying to retain the seats of Broadsound, Peak Downs and all the other National Party seats around the State that are under threat. Money is being wasted on advertising that is supposedly Government advertising, but is really advertising for the National Party. This Government has said that there are a few naive people out there in the community who do not know the facts and who are supporting the Government. If this Government was fair it would have in a realistic manner consulted the Opposition on the legislation that is before the Parliament.

Earlier tonight the member for Sherwood described the consultation had with him over this legislation: an overnight chance to look at something in relation to important legislation. I have described the shoddy behaviour of the Attorney-General.

Because the Government cannot be trusted to consult, it cannot seek extra time. It cannot be trusted to behave in a proper fashion; it is not prepared to say it will be a caretaker Government, as clearly would be the case. Any provision to extend the life of a Parliament without the people voting for that is one of the most important matters ever to come before a Parliament, so clearly the onus is on the Government to justify itself not only in relation to the terms of the legislation but also in relation to its behaviour. Any Government that cannot satisfy us that it will not continue to waste the people's money in the manner that this Government has is not entitled to an extension of time and the people of Queensland are entitled to go to an election and say, "We will decide which party will be in power when the Electoral and Administrative Review Commission is finally set up and comes in with its report." We are confident that it will not be the National Party that will be in power when that process finally bears fruit and the final report comes forward.

Upon looking at the legislation, one sees numerous references to the zonal system, but no explicit reference whatever to the first principle that has always been argued on electoral reform. There is no explicit reference to the commission to examine whether there should be one vote, one value. It is not there. It is not in the legislation. Why was not more time and opportunity given to us on that matter? Again, because it suits the Government to set up this smoke-screen! The member for Mount Gravatt talked about the Opposition and Liberal Party surrounding Mr Ahern with a smoke-screen. He also said that the Premier was exhibiting statesmanlike qualities. The Premier is a defeated man in this State of Queensland, and everyone knows that. He is not a statesman. Every

public opinion poll shows that he is a defeated man. He is no statesman; he is desperately trying to buy himself more time.

What we have is a Government that has used Mr Fitzgerald in a most evil and nefarious way. This Government comes to us and the people of Queensland and says, "Trust us. We will consult." There is nothing in the legislation that says how it has to, but it claims that it will. The Government has told lies before, but it says that it will not do so this time and that it will consult. But what did the Nationals do in relation to Mr Fitzgerald? Without obtaining his consent, they used him in their political advertising, and then the statesmanlike Premier had to withdraw the advertisement because Mr Fitzgerald said that it was obviously underhand and incorrect. This Government tried to use the very man who should be able to be stood aside as independent and in the same process it also tried to present Mr Fitzgerald as the promoter and author of the referendum idea and the man who would oversee the referendum.

Again, Mr Fitzgerald pulled the rug from under the Government and said, "No, I am not." Mr Fitzgerald was the author of the idea that there should be a review of electoral reform in Queensland, but there was nothing in his report about a referendum. However, this Government dishonestly claimed that he was the person who would be promoting, authorising and overseeing the referendum. That was not true, and the Government was embarrassed, if it is capable of being embarrassed, by having Mr Ahern tell the world, after the three leaders met, that that process was not correct, that Mr Fitzgerald would be leaving office as soon as the matters of legislation were put into effect in relation to the referendum and the review, and that he had no part to play in the actual supervision of the referendum itself.

What trust can the people of Queensland have in a Government that frequently mouths the principles of the Westminster system but does not understand them, that clearly has not even considered the sort of role that it should play as a caretaker Government only for the extra period of time that it would be in office if this referendum is carried? Members of the Government obviously have not even considered that. They have not approached the Leader of the Opposition or the Leader of the Liberal Party and said, "Let us discuss the possibility of some extension of time." Clearly they did not need this extension of time at all, but no attempt was made to discuss it in advance and no attempt was made to say, "We will behave in an honourable fashion and act only in a caretaker role. We will not be spending the money that we would otherwise have spent."

This is a Government that stands condemned and stands without honour. In these circumstances it is we in this Parliament who must make a decision, not the newspaper pundits who had not even read the legislation before they decided they would support it, and not the Citizens for Democracy, who have behaved in what I believe to be a naive fashion by putting forward an idea that seemed to them like a good idea at the time but which did not have the safeguards which had to be written into it before this legislation was brought before the House. In their naive manner they put that forward and this Government snatched at it in a desperate desire to extend its life in the hope—in the vain hope, I suggest—of a miracle, the miracle being that it can survive as a Government whenever the election takes place.

In these circumstances, the Opposition acts as a loyal Opposition should. It rejects any possibility of an extension of time for the life of this Government. It is the only honest, honourable and proper course for the Opposition to take. It is a course that members of the Opposition adopt with pride. We are sure that, in the light of history, we will be justified. In its shame, the Government is seeking to extend its life, not for reasons of electoral reform, but in the hope that it can again become the Government of this State.

It is sad that any Government of this State should behave in such a dishonourable manner, hiding under the banner of honour and propriety. That is what it is doing. The Opposition is confident that the people of Queensland will see the Government's dishonour and will back the Opposition in its opposition to these proposals.

Mr INNES (Sherwood—Leader of the Liberal Party) (9.16 p.m.): With regard to the processes tonight, apart from the objection that the Liberal Party raises to the matters being debated after cutting down the usual seven days—three sitting days—required for legislation to be debated in this House, this morning the Whip of my party was informed that the first legislation to be debated would be the referendum legislation, which at least in two parts is fairly brief—three or four paragraphs—and fairly easy to comprehend. The legislation relating to the conduct of the referendum vote is more complex and requires thorough investigation, because that is the basis of the entire election.

The legislation which we now find debated first, after the farcical situation of a change of direction in the middle of the speech by the Leader of the Opposition leading off the debate on legislation introduced this morning, is legislation that has to be examined with considerable care. As I pointed out earlier, there was supposed to be a consultative process—I concentrate on the word "consultative"—because it is the key to the legislation which we debate tonight and it is the key to the legislation which is in draft form. It is the very performance of the Government in relation to the word "consult" which has inherently the fatal flaw with regard to the success, efficiency and reputation of the process that is involved.

Nobody treats lightly the recommendation in the Fitzgerald report. Nobody treats lightly the significance of the proposal to have an Electoral and Administrative Review Commission and a select committee of the Parliament to oversee it. However, we must look with great care and jaundiced eye at a package that is produced in this fashion, that is produced in contempt of courtesy, in contempt of efficiency and in contempt of the spirit of Fitzgerald, who talked about the proper use of the parliamentary process and about fortifying and reinforcing the time, the opportunity and the mechanisms to allow more considered and informed debate and decision-making. That is what it is all about—to provide more information, to do more things with openness and to get more effective and considered decision-making.

I have not seen this legislation before. Some of its provisions are similar to a draft that I received some 10 days ago. However, 10 days ago I received the draft of a single Bill, to which I responded on very little notice. I have not had another communication from the Government or the consultative committee since that time, until after the second communication occurred at 12.45 today, when I received a copy of the second draft, as I understand it, after not only my submissions but also the Government's submissions were taken on board.

Mr Hamill: Meaningful consultation.

Mr INNES: The word "consultation" was a farce. It was not meaningful. The Government never responded to my submissions. I made some deductions from what is contained in the legislation before the House at present. I have never been told why we have two pieces of legislation. I form a very clear conclusion that the flimsy document that we debate tonight, which has many provisions that are duplicated in the draft Bill that was tabled this morning, is to satisfy the political obligation to appear to be doing something about electoral reform. Even in this we have the self-detonating device—the cyanide tablet in the tooth—that, when the referendum is defeated, this disappears. The commission is left intact, but it has no more work. Why does the process of electoral review have to stop if the referendum is defeated?

Mr Schuntner: Isn't it supposed to be independent?

Mr INNES: Is it not supposed to be independent? Is not the commission supposed to be apolitical? Some people suggest that they already know the names of some of the people who will be appointed to the commission. It must be a con. In the assorted paper-reading by the member for Mount Gravatt, honourable members will not find any instance in which I had called for a delay in the State election or when the Liberal Party circulated any petitions or made any call for a delay in the State election to allow the redistribution to take place.

The Liberal Party has worked too long and more closely with the National Party. Do not open the door one millimetre; do not give it a chance. It will be through the door up to its neck. I knew what would happen if there was a suggestion that there might be a delay in a State election to allow redistribution. The member for Mount Gravatt did not deliver the best line of the year when he, full of self-righteous, fundamentalist sincerity, stated, "'This package is an ironclad guarantee of possible reform." He said "possible reform". It rang around the Chamber, and it had the ring of truth.

Mr Beard: I believe they are outside flaying him now.

Mr INNES: They might as well give up. He will enjoy it.

The reality is that the consultative process has totally failed before we get to the first barrier. One of the matters to which I objected in relation to the draft that I was shown—the much bigger and more substantial draft—was this question of the involvement of other parties.

I notice that the member for Mount Gravatt has disappeared. Mr Fitzgerald was asked to look at specific allegations of corruption. He himself, of his own volition, or because of the pursuit of his own lines of inquiry, ended up with a report that virtually started with observations about the electoral system as perhaps being the foundation of the lack of checks and balances and control of the source of the abuse of power which itself breeds an umbrella under which corruption can take place.

There had to be some significance in the electoral redistribution of Queensland for him to make comments about the system of Cabinet government and the electoral system at the very outset of the detailed parts of his report. The Liberal Party believes that it is of significance. The Liberal Party believes that there is a relationship in the system of checks and balances. He said that there had to be a reappraisal—I am paraphrasing this part of it—of the boundaries because of the cynicism that was held about the boundaries and that the review into the boundaries had to be conducted by people whose opinions would be respected by all parties, by all sections, and of course Mr Fitzgerald himself required the process of consultation at the outset to establish the commission, to choose the personnel, be that an all-party committee or, in the absence of an all-party committee, in consultation with the leaders.

In the legislation we find the word "consult" is used, and the word "consult" is used without qualification. However, we have learned from bitter experience what can happen. The member for Rockhampton can rightly refer to the matters of last year because he and I, as Justice spokesmen, were both asked by the Attorney-General to support certain legislation. We undertook to do that on his undertaking that we would be consulted and informed and our concurrence would be sought with regard to the appointment of the members of the commission. That simply was not done; it simply was not done. To the average member of the public, the word "consult" would mean the seeking of some active concurrence or response from another person. But over the years we have seen that "consultation" in the hands of this Government means telling you what is going to happen, or means telling you what has happened, or means not telling you at all.

The active person who will appoint the commission and the chairman is the Minister advising the Governor in Council. The obligation to consult clearly can be read down to mean "informing". It does not require active concurrence. As I have said, the legislation must be changed to require the concurrence of the leaders of both parties, or of all members of an all-party committee, and that is an amendment that the Liberal Party will move again.

We want time. If we are to find a body of people whose opinions and recommendations we will respect and can respect and accept, we need time to check out these people. I have had the recent experience of consultation which involved being telephoned at 8 o'clock at night and, luckily being home, being told to have a response by 5 p.m. the following night, having a diary which was jammed with obligations, and finding no other response at all, no communication to indicate the fate of my proposals or whether

other proposals were being actively considered. If that is the consultation that is envisaged, then I say that consultation is meaningless. I will not accept the word. I will not accept the undertakings. We have had bitter experience.

In regard to the appointment of the commission and the chairman, it is necessary not only that we know the proposed appointees but also that we have time to make some independent assessment of the background and worth and merits of the people forming the commission. It is absolutely vital that the commission be right, that the members be right, and I make no qualifications. We were prepared to actively look at attempting to obtain apolitical, wise people to carry out all of the many responsibilities that are involved in the EARC. There was no intention by us to veto everybody and anybody, but, frankly, this experience leaves us very jaundiced about the whole process. The Liberal Party will oppose the provisions in the legislation as is and require the active concurrence of all parties in this House.

The other significant change for the purposes of this exercise, because this legislation deals with electoral reform, is the sudden appearance of 89 members as directing the minds of the Electoral and Administrative Review Commission. That was not in the draft that I saw. Somebody has put that in. Somebody has insisted that that go in because it is in very prescriptive terms. Rather than debate the matter, I will use clause 2.12 by way of illustration. It states—

> "(1) In discharge of its function prescribed by section 2.9 with a view to reporting by 31 March 1990, the Commission must allow the number of electoral districts in the State to stand at 89."

Why? If one is looking at an electoral system, surely it is crucial that one looks on the sufficiency, the inadequacy—or it might be the other side—of the number of seats.

The Liberal Party opposed the proposal to increase the number of members in this Parliament from 82 to 89.

Mr Lee: The only ones that did.

Mr INNES: The Liberal Party opposed the increase in the size of the city council and the increase in the number of members of the Federal Parliament. The Liberal Party has been absolutely consistent. It is the only party that has been consistently against the growth in the size of Parliament and other elected bodies. The National Party is the only party that has supported the growth of those bodies on every occasion. I think that the Labor Party went off the rails and actually voted against growth on one occasion.

There is no reason why the size of the Parliament should start or be concluded at 89 seats. The commission might find that, like New South Wales, all members could cope with 40 000 constituents as opposed to 20 000, 13 000 or 8 000. The freezing of the number at 89 is a nobbling of the review process in a very crucial and basic condition. Who has got at whom? Where did this document come from? I ask: has Fitzgerald seen this document or this device at all? The review process is nobbled at the beginning.

There are other provisions about which one is also concerned in the sense of looking at their effect because of the possible legal no man's land into which we can find ourselves propelled. What is the effect of recommendations? The Liberal Party has always taken the position that one cannot bind a future Parliament. The reason the Liberal Party will not give this Government another day in office more than is absolutely necessary is that in June next year we could end up with the same Parliament made up of the same numbers deciding on legislation that could involve amendments to this legislation—amendments to electoral reform. In effect, the Bill itself envisages that part of the recommendations will be carried into effect by legislation. There is even a provision that says, "The report itself has the capacity to revoke and amend existing laws." We could have ourselves in a tidy old pass if by the presentation of a report the provisions of some parts of our present electoral Acts are repealed and are not replaced with other effective legislation. One could find oneself in absolute tiger country if by report one can revoke existing legislation which is needed as a base for some electoral processes.

If some of the provisions are carried into effect by legislation, at that time the numbers can be used to achieve whatever result is wanted.

It is interesting to note that Mr Ahern, who committed himself "lock, stock and barrel"—

Mr Davis: 100 per cent.

Mr INNES: 100 per cent to the Fitzgerald report—100 per cent to what Mr Fitzgerald recommended—now in another little divergence puts out a new draft Bill for public input. That is the one which he says carries the stamp of Fitzgerald and Mr Forster. Honourable members will notice that whenever he needs a bolster, the Premier invokes the name of somebody else—a committee, a commission, Mr Forster or Mr Fitzgerald. But we now have a draft Bill, because this is the spirit of consultation to tell us whether or not that document, which, it is suggested, was settled by Mr Fitzgerald, is satisfactory.

I know that, because of the fight in the National Party Cabinet room, in which Ministers are petrified of the implications of the full-blown recommendations and the full-blown commission, the Government is putting that one out hoping for flak. I would think that Ministers watched television tonight with delight as Laurie Gillespie, of one of the public service unions, found something to oppose. I have no doubt that they can predict that the local government people will come out fighting because the legislation proposes that the process that Parliament is being subjected to can be imposed on the local authorities in this State—even to looking at their boundaries, which are just as gerrymandered as or more gerrymandered than ours are. One can imagine their delight at the flak that will come out of the local government area.

First of all, the Government sets up the flimsy document, looking totally at electoral reform, with its own self-detonation and termination—referendum defeated, electoral reform finishes, electoral review finishes. Secondly, the Government puts out the more disturbing provisions, those that will overturn the practices of present Cabinet government in this State—the practices of politicisation, of interference, of jobs for the family and the boys. The Government puts that out to grass, knowing there are a couple of things in it that will incite other people. The Government gets the flak and it can water it down. It ends up with what it really wants. There is a certain subtlety about it. Perhaps Miss Armstrong is as influential as the 10-minute segment on the *7.30 Report* tonight suggested. There is the meeting at the bunker. People come from Bjelke-Petersen House down to the Executive Building for Cabinet meetings every Monday morning for the directions to be given.

Mr Beard: Is she that contract public servant?

Mr INNES: The contract public servant who before that worked for the National Party, and who went to the National Party conference to launch this referendum campaign. This is how sincere it all is: one cannot find this brainstorm mentioned anywhere in the Fitzgerald report. There is no mention of a referendum there.

Mr Gately interjected.

Mr Beard: Would you say Mr Gately understands all of this?

Mr INNES: To say that it was above him would not put it very far off the ground.

It was sold to the National Party conference on the basis, "If we go to the polls now, we are destroyed. If we leave it for another six months, we have nothing to lose." It was supposed to be a stroke of political genius, a piece of divine providence in which the National Party could not lose. The story was, "Heads we win. Tails you lose." Fortunately, the people of Queensland are fairly straightforward and fairly simple. They do not want to get lost in the high-falutin arguments. To use the words that Mr Henderson quoted, they have smelt the rat. With the administration that has unfolded in the Fitzgerald report, which stands condemned in every chapter, how would one give them

alone, of all the Governments in the history of the State, the right to go on for another six months? Why would one give the charge of electoral reform to a Government that says, "We are opposed to electoral reform. We don't believe in electoral reform. We believe that the present system is right."?

Mr White: You'd have to believe in fairies.

Mr INNES: The honourable member would have to believe in fairies.

The reality is that the present Government cannot be trusted on matters relating to electoral reform. Honourable members cannot trust a Government that says that everything is electoral expediency. If honourable members believe that I am too jaundiced about the word "expediency" they should consider the responses to the public opinion polls that suggest that the referendum might be lost. I am not talking about the unwashed, the uninitiated or the fringe-dwellers who exist around every party.

When told that 75 per cent of his electorate was showing signs of some opposition to the referendum, the Deputy Premier said, "That is great—terrific. That shows that they are not interested in electoral reform." Sir Charles Holm, the senior vice-president of the National Party, was confronted also with polls that suggested the majority of people are against the referendum. Similarly, he was delighted and said that that demonstrates that people are not interested in electoral reform—"Heads we win, tails you lose."

In the post-Fitzgerald era the people of Queensland have had a gutful of tricky, half-smart politics. They want simple, straight up the guts, straight up the middle commitment to some straightforward, old-fashioned principles. They want the State cleaned up. They want improvement. The majority of people want electoral reform.

Mr Davis: They vote Labor.

Mr INNES: They will not vote Labor.

The polls show that the majority of people want change but they still want private enterprise. They have seen the devastation that the Labor Party's forms of cronyism, jobs for the boys and its commitment to rorting the public purse have inflicted on the rest of Australia. Victoria is facing a $30 billion deficit. Approximately $300m was lost in the Victorian Economic Development Corporation. There is the combination of the socialist Left, the social care and social justice programs with absolutely reckless socialist economic policies. The Labor Party is not the answer. It is just more of the same—same dog, new fleas. It would replace the National Party cronies with Labor Party cronies—trade union cronies.

People want a clean-up. They want something different; not just a change of face but a change of style and a change of commitment. That is why the Liberal Party has never suggested that the Government should be given another day longer in office. The Liberal Party will take its chances at the polls. It is committed absolutely to pursuing electoral reform. Win, lose or draw the referendum, the process of review by the commission should continue. The Liberal Party is prepared to take an active part in the process of setting up the commission but it wants the right of veto over the personnel of the commission. The EARC should not be nobbled by letting it out to grass. The fundamental principles that are contained in the Fitzgerald report recommendations must be upheld and the fundamental task of the review commission must be undertaken.

Although some people might complain about some aspects of the commission, the fundamental commitment must be to get this State back on the straight and narrow, back on the straight tracks. The Liberal Party has no hesitation in making an unreserved commitment to electoral reform and to cleaning up the administration of this State, which is absolutely consistent with opposition to key provisions in this legislation, opposition to the referendum and opposition to the way in which this package of legislation is being propelled through this House. That procedure is absolutely inconsistent with the new style that was called for by Mr Fitzgerald in his report. It is inconsistent with consultation and inconsistent with fair, straight and honest dealing.

Mr HAMILL (Ipswich) (9.43 p.m.): Is it not wonderful that the farmer-dominated party of the Queensland Parliament is asking the people of Queensland to buy a pig in a poke? That is exactly what the referendum and this legislation are all about.

The honourable member for Mount Gravatt spoke about an ironclad guarantee of possible reform. That is a bit like deja vu. I remember Sir Robert Sparkes on ABC radio—just before his marionette announced the referendum—saying that people should remember that electoral review does not mean change. Just after the Fitzgerald report was released I remember the honourable member for Somerset running around the countryside saying, "Of course we are going to have some sort of electoral review. It has to go to a boundaries tribunal before or after the EARC." That was a delaying tactic that demonstrated to me, to other members of this House and no doubt to the people of Queensland that the National Party of Queensland is totally insincere about the very vital issue of electoral justice and electoral reform. A couple of days ago in the *Queensland Times* honourable members witnessed that insincerity in the honourable member for Somerset.

Mr Gunn: That's your own paper.

Mr HAMILL: On Mondays that newspaper carries a column from the member for Somerset. I do not allow my mind to be misled by the sort of tripe that is dished up in that column.

The *Queensland Times* undertook a street survey that indicated that 80 out of 106 people thought that the National Party's referendum was a sham. As well, they saw it as a further blatant and extravagant waste of tax-payers' money. What did the member for Somerset say? He said, "Oh, well, that just demonstrates that people aren't interested in electoral reform." That just goes to show how out of touch people such as the member for Somerset really are. The cat is really out of the bag.

Tonight, Mr Henderson spoke about the ironclad guarantee of possible reform. Bob Sparkes says that a review does not mean change. The member for Somerset says, "Oh, well, if the people vote 'No' "—as indeed they will vote "No"—"then of course we will interpret that as meaning that people are not interested in electoral justice." I will tell the member for Somerset quite clearly that people will vote "No" because they do not trust him and they do not trust those of his ilk. They do not trust the National Party and they do not trust Bob Sparkes. All they do have confidence in is that the National Party will again try to rort the system. That is why they will vote "No" in the referendum. That is why they will get rid of this Government when they are called upon to vote again a few weeks later.

This evening we should have been able to come here and welcome legislation to put in place the EARC. Why are we disappointed? The reason we are disappointed is that already the National Party is selling out. Just before the Fitzgerald report was released, Mike Ahern was waving his hands around like a mad person saying, "We will adopt the recommendations of Fitzgerald lock, stock and barrel." It is a wonderful thing in the political life of Australia that certain clichés hang about political figures. Can I suggest that the phrase "lock, stock and barrel" will hang around the Premier's neck, like the albatross hung around the ancient mariner, all the way to the electoral demise of the National Party Government.

What has happened? Mike Ahern said, "Lock, stock and barrel. We are going to implement it lock, stock and barrel." That is, until Bob Sparkes said, "Whoa, Mike. What we are really going to do is have a referendum but at the same time let's jettison the other recommendations of the Fitzgerald inquiry." A reasonable person who thought that he could trust the National Party and who thought he could have confidence in Mike Ahern could reasonably have expected tonight, when we finally see legislation establishing the EARC, that the full recommendations of the Fitzgerald inquiry may well have been given to the EARC to consider.

But what do we find? We find that the extensive recommendations contained at pages 370 and 371 of the Fitzgerald report are not to be found in the legislation that

has been introduced today. Certainly, an attempt has been made to put in place a structure which purports to fulfil the requirements of the Fitzgerald report with respect to the establishment of the Electoral and Administrative Review Commission and that such commission might undertake an inquiry into the need or lack of need for a rorted, corrupt zonal gerrymander. But where are the rest of the recommendations? Those two pages of the Fitzgerald report contain no fewer than 23 recommendations. However, no mention of them whatsoever can be found in the legislation that is before the House. Principal recommendation No. 10 contains some 15 parts. It refers to a whole range of matters that are vital to cleaning up the corrupt political process of the State. It contains recommendations such as protecting people from "making public statements bona fide about misconduct, inefficiency or other problems within public instrumentalities". It also makes reference to—

"(b) review of the statutory necessity for the assent or consent of a Minister or the Governor in Council to any given action or undertaking or in respect of any benefit

(c) formulation of codes of conduct for public officials

(d) establishment of guidelines in respect of Ministers involvement with public service appointments, promotions, transfers and discipline".

On and on it goes. It refers to the "introduction of a comprehensive system of Parliamentary Committees" and the "formulation of guidelines for monitoring the costs and activities of ministerial and departmental media units and press secretaries by an all-party Parliamentary Committee". It also refers to a "detailed audit by the Auditor-General of all ministerial expenditure at least annually, to ensure compliance with published guidelines and to report on that audit to Parliament". On and on it goes. The legislation before us this evening contains no mention of those vital recommendations.

Substantive recommendation No. 11 contains a recommendation that the Public Accounts Committee legislation—defective legislation that it is—be reviewed and that the Elections Act be reviewed. A point that is very dear to my heart and which was the subject of the speech I made today in the Matters of Public Interest debate is that there be established a public register of donors to all political parties, something which we in the Opposition support but which we know both the Liberal and National Parties regard as some sort of heretical proposal that could not be tolerated at any cost.

Recommendation No. 11 also refers to a "review of the effectiveness of internal audit services within Government departments" and the "review of guidelines for registration and disclosure of Parliamentarians', Ministers' and their respective families' financial interests". What happened to all of those recommendations? This is a case, is it not, of the baby being thrown out with the bath water? When the National Party asked, "What sort of ruse can we put in place to try to save our political hides?", it came up with the idea of the referendum. It used that as the pretext to quickly shunt away from public view all the other substantive recommendations contained in Mr Fitzgerald's report.

That is why such a defective piece of legislation is before us this evening, legislation which conveniently ignores so many other very important recommendations that were contained in Mr Fitzgerald's report. But even this defective legislation is deficient when it comes to a discussion of the electoral system. If honourable members consult those passages of the Bill in which the notion of "electoral" system is defined, they will see that it is all about carving up the State into electoral districts or zones or both, compiling rolls, voting procedures, declaring polls and so on.

Mr Booth: Wouldn't you bother with any of that? Wouldn't you bother with the rolls?

Mr HAMILL: I would like to see the rolls brought to the position in which the same amount of paper as that used to publish the roll of the honourable member's electorate is used to publish the roll of my electorate. As the position stands at present, the electoral roll for Warwick is only two-thirds of the size of the electoral roll for

Ipswich. Why is that the case? The answer is that it is because that suits the National Party. That is another demonstration of lack of sincerity on the part of the National Party. Yet members of the National Party are the ones who run around saying that they want electoral reform!

The National Party does not want electoral reform. It wants a rubber stamp to endorse the electoral malpractice that was engaged in by every Minister in this Parliament, with the exception of the member for Mansfield and member for Redlands. In 1985, Ministers sat in this Parliament and voted in favour of endorsing that system. I notice that the Minister for Northern Development, Mr Tenni—the Minister for the expatriation of the people of Wujal Wujal—is present in the Chamber. Let me ask that Minister if he believes in electoral reform? Of course he does not, because electoral reform would bring back those people who were conveniently removed from his electorate in 1985—the people who totally rejected him every time he put his face before them at a poll.

Mr DEPUTY SPEAKER (Mr Alison): Order!

Mr HAMILL: The people of Wujal Wujal detest the Minister and that is why he did not want them in his electorate.

Mr DEPUTY SPEAKER: Order! The member will resume his seat when I am on my feet.

Mr TENNI: I rise to a point of order. The honourable member is deliberately misleading this House and the people of Queensland. He knows that I had nothing whatsoever to do with the redistribution. He should also know that I won the vote in Wujal Wujal at every election except the first one. The community of Wujal Wujal supported me because of the construction of the Cape Tribulation road. I was sorry I lost Wujal Wujal.

Mr DEPUTY SPEAKER: Order! There is no point of order.

Mr HAMILL: That is right, Mr Deputy Speaker, and there is no truth in the Minister's assertions. He can look at the report that has been tabled in the Parliament which demonstrates that he obtained only one-third of the vote in Wujal Wujal when it was last in his electorate.

Mr Casey: It is not electoral reform that he is worried about. He is just a racist. He did not want the blacks in his electorate.

Mr HAMILL: That is another viewpoint that I am sure has certain respectability.

The National Party conveniently ignores the evidence when it comes to the reform of the electoral system. That is why this Bill does not canvass important matters such as the registration of political donations. The National Party is not interested in going to the root of cronyism and corruption of the tendering system or the maladministration of and malpractice in public administration in Queensland. It is not interested in those things. It is interested only in attempting to save its political hide.

The people of Queensland can see through the National Party. They are not prepared to effectively give this Government another 12 months in office. They are fed up with this Government's performance. The people of Queensland are saying, "Why should we tolerate a situation in which the rorts can continue unabated?"

This Government gives no guarantee that it will mend its ways. It gives no guarantee that it will act as a caretaker administration should the unlikely event that the referendum is carried ever occur. All that this Government demonstrates by its tedious actions day by day is that the cronyism, corruption, maladministration and malpractice continue unabated. As recently as today I picked up the *Courier-Mail* and read that the Chairman of the QIDC is in the business of trying to get applicants to change their applications so that they can improperly come within the guide-lines and receive financial assistance from that body. A little earlier I read that the QIDC was in the business of providing

matrimonial bridging loans when it is convenient to patch up not the human relationships but the fiscal relationships of National Party supporters.

Mr Wells: You know, if they gave that money to some unmarried mothers, they might solve some of their problems.

Mr HAMILL: That certainly is a respectable point of view. Malpractice continues in the QIDC because one of its board members is still a director of that discredited, sleazy National Party slush fund called Kaldeal.

This Bill provides for people holding appointment on the EARC except if they are disqualified by reason of having certain associations. I ask: if a Government such as this one can tolerate the director of its political slush fund being in a position of public trust and confidence on a public body that is in the business of providing finance to corporations, how can anyone trust that Government to have any sense of propriety in terms of the membership of a commission that is to be established to review the electoral system—especially a Government that sees nothing wrong with a person being in the business of presiding over the collection of cash from companies that are more interested in winning Government contracts than they are in providing political support to the National Party, while at the same time presiding over the provision of loans and finance to other corporations? I find it totally incomprehensible that a Government can on the one hand hold such standards up high and on the other hand refer to people having appropriate qualifications not being disqualified from the EARC. It all comes down to this basic question: why should people trust the National Party when, in the period since the Fitzgerald report was presented, day after day and week after week the Government has procrastinated in respect of the substantive recommendation that there ought to be review of Queensland's electoral system?

In spite of that, this Government does not procrastinate when a matter that is dear to the National Party's heart comes before the Parliament. Members of this Parliament did not witness procrastination in 1985 when the Standing Orders of the Parliament were abused and misused when this National Party Government sought to enact in a matter of hours industrial legislation containing draconian penalties that were in line with the political philosophy of the National Party. Similarly, honourable members did not witness procrastination in 1977 when the Liberal Party and the National Party put in place an electoral redistribution in five months, when it suited them to do so, before the State election was held in 1977. Yet procrastination and the tactics of delay are put in place when an independent commissioner recommends an electoral review in Queensland. There is almost six months in which to undertake that electoral review, but it does not suit the political program of the National Party to put that review in place.

If this Government is sincere, and if the people of Queensland are to justly have confidence in it, the Government would have already accepted the viewpoint of the people of Queensland and put fair and honest electoral boundaries in place through a proper review which could have been put in place before the due date of the election this year. Let there be no mistake: the petition which the Australian Labor Party has put out to the people of Queensland——

Mr FitzGerald: Oh, did you put one out?

Mr HAMILL: I am still getting signatures on the petition and I will tell the honourable member for Lockyer the reason why. The petition that people can sign in my office does not mention anything about extending the life of this National Party Government. There is no mention of extending the life of this Parliament. All it asks is that the people of Queensland go to an election this year based on a fair and honest electoral system and boundaries.

If the Government were sincere in its commitment to the process of electoral reform, there would be no need for the extension of the life of this Parliament. The Government's view can be established from the public and private utterances of National Party figures, whether it be the honourable member for Flinders, who questioned the

right of Commissioner Fitzgerald to even look at the electoral system, the Deputy Premier, who put a proposal in place whereby the whole system of electoral reform could grind to a halt, or Sir Robert Sparkes, who let the cat out of the bag by letting it be known that he has great confidence that the commission that is to be appointed—the pig in the poke—would come down in favour of the corrupt electoral system which the National Party holds dear.

The sting is in the tail of this legislation. If the National Party were truly committed to the process of electoral reform, there would be no need for the last clause of this Bill. Why is it that electoral reform has to be inextricably linked to the fortunes of the ill-fated, ill-conceived and extravagant referendum that this Government is forcing on an unwilling public in Queensland? Surely if an independent review of electoral boundaries were in place, that review ought to take place unfettered by the political exigencies of the National Party Government. Why is it that, when the people of Queensland vote a resounding "No" to the referendum, the so-called fair and independent review must cease its deliberations? It is not logical for the National Party to cause the commission to cease its deliberations during the ensuing election campaign which, as sure as night follows day, will be held at the end of this year.

Furthermore, in the unlikely event that the referendum is carried, there is no legislative guarantee in the Bill that the National Party Government would seek to go to the next election on new boundaries. All that has been outlined in the Premier's speeches today and in the legislation is that this commission should report by the end of March, and that the legislation requires that, if the election has not been held by May, then it must be held by July. What is to stop the National Party going to the polls before the commission brings down its report? There is nothing in the legislation which stops the National Party bringing on an election before the report is handed down.

Mr FitzGerald: You must be politically naive to think you could get away with that.

Mr HAMILL: It is a joke to hear the honourable member for Lockyer talk about political naivety. This Government, which has so abused the confidence and trust of the people of Queensland, believes that the public is naive and that it can be conned. The National Party Government has not earned the trust of the people of Queensland, and the people of Queensland are waiting for the opportunity to see it out of office.

Mr Gately: That's your opinion and hope.

Mr HAMILL: That is my opinion and it is an opinion backed up by every opinion poll that has been taken in this State in recent months. The people of Currumbin are looking forward even more to the end of the present member for Currumbin, because he certainly will not survive the running of the electoral tide in November or December of this year.

A further point that must cause disquiet amongst all fair-minded people relates to the provisions contained in this Bill pertaining to the establishment of the Parliamentary Committee for Electoral and Administrative Review.

Mr FitzGerald: It's the same one.

Mr HAMILL: No, it is not the same one. I thought the honourable member was talking to himself. It is probably the only intelligent conversation that the honourable member has, and even then I would question the answers.

It is proposed that when the parliamentary committee is established it have seven members. Previously there has been debate about the appropriateness or otherwise of the Government stacking these committees.

Mr Austin: Don't be repetitive, then.

Mr HAMILL: I will not be repetitive; I will make a comment that will be very dear to the heart of the Leader of the House.

The fact is that a Government that has nothing to fear in the impartial discharge of its responsibilities need not stack the Parliamentary Committee for Electoral and Administrative Review, yet the provisions of this Bill provide for such a stacking. There will be four members from the National Party, two from the Labor Party and presumably one from the Liberal Party. That is almost like applying the zonal gerrymander to the parliamentary committee.

Mr FitzGerald: Let the House decide.

Mr HAMILL: Let the House decide? This is the zonal gerrymander at large.

Not only is the Government content to draw zonal boundaries in this State that conveniently skip around topography, community of interest and indeed anything that is contrary to the interests of the National Party, it then puts in place a system whereby the redistribution commissioners draw the lines to impose a further gerrymander on top of the malapportionment, yet we hear the doltish comment from the member for Lockyer, "Let the Parliament decide". That is an example of the National Party's vision of excellence, although we do not hear much of that any more, because there is not much vision and there is certainly no excellence.

This legislation is discredited. It is as discredited as the National Party Government that seeks to put it in place. If the people of Queensland could truly believe that there was a guarantee of change, maybe it would be different, but they have no faith in the National Party and no faith in the ironclad guarantees of possible reform, as we have heard in the House this evening. All they know is that what Sir Robert says, Sir Robert gets, and Sir Robert Sparkes has said quite clearly to the people of Queensland that the review does not mean change and that he is confident that the status quo will win out in the National Party's inspired review of Queensland's electoral system. That is why they will vote "No" and that is why they will get rid of members opposite in December.

Debate, on motion of Mr Austin, adjourned.

ADJOURNMENT

Hon. B. D. AUSTIN (Nicklin—Leader of the House) (10.10 p.m.): I move—

"That the House do now adjourn."

A. J. Bush and Sons Plant, Murarrie

Mr McLEAN (Bulimba) (10.10 p.m.): I wish to speak about the latest development in the long-running saga of the Murarrie meat-rendering plant of A. J. Bush. I do not have to tell this House about the long suffering of the residents caused by the inactivity of this Government or of the rotten smells and the unbelievable misery that over the years the people in the vicinity of that plant have had to suffer. However, at last they were told—I think that they believed this—that the plant was to be resited. They had the hope that there would be no more lies and that at last there would be some action from the Government. Unfortunately, that is not the case.

I wish to quote from a press statement of 8 July, which states—

> "The Environment and Conservation Minister, Mr Muntz, said two relocation sites were being considered in Brisbane and two in south-east Queensland. . . . New technology was now being studied in the United States by the company and a senior State scientist, Mr Muntz said."

To verify that newspaper report, I will quote one sentence of a media release from the Minister. It states—

> "To that end, a senior scientist from the Department of Environment and Conservation is with A. J. Bush executives in the United States to study the latest technology."

That press statement caused quite some concern among the residents in the area. They wrote to the Minister, the company and others and received a letter from the company, which states—

> "I refer to your letter of 12 July which made mention of an article in The Courier-Mail newspaper.
>
> We have no knowledge of the matters referred to in the article and have sought advice from the Environment Minister who was quoted in it.
>
> Under these circumstances I can only suggest you put your queries to him directly."

That letter was from the Queensland manager of A. J. Bush, Bryan Kassulke.

In a press statement the Minister for the Environment made a completely misleading statement, claiming that executives of A. J. Bush were over in the United States to study the latest technology, but the manager of that company says that that did not happen. Either the Minister or the manager of that company has told lies. I can find no reason for the manager of A. J. Bush to tell lies, so I accuse the Minister of telling lies to the people of Queensland.

The people of Murarrie and surrounding areas have suffered for a long time. They have suffered so much that they cannot take any more lies. They have had 15 years and more of this Government's inactivity in curing a problem that has now become unbearable for so many of them. They are sick of promises and false pretences. The latest episode from the Minister is the last nail in the coffin of the people who live in that area.

I want to know why that statement was made. Why would the Minister say that the company was involved in studies in America when the company itself says it knew nothing about that? That is not good enough. This has been going on for too many years. It is another example of National Party Ministers making completely unfounded claims in an attempt to avoid confronting serious problems, but over the years we have become used to that. This is a serious problem that has caused ill health, divorces and all sorts of other problems.

I challenge people who have been near that plant when its smell has been really obnoxious to deny what I am saying. Under anyone's set of standards, it has passed the point of being acceptable. This Government has to do something about it. There should be no more lies. A Minister of this Government has blatantly lied about this. I want to know why he lied and what he intends to do about it. No-one deserves the treatment that has been dished out for so many years to the people who have lived in that area.

Time expired.

Restrictive Work Practices on the Waterfront

Mr FITZGERALD (Lockyer) (10.16 p.m.): I join in the debate to further my argument about restrictive work practices on the waterfront in Queensland that are costing Queensland producers and consumers a lot of money; in fact, they are costing hundreds of millions of dollars throughout Australia. When containers come in to be loaded with meat, it is necessary to have them cleaned properly before they can be stacked with meat. The cost of cleaning them is between $80 and $85 a box. An outside depot off the wharf will perform the job for $25 a box. However, the wharfies will not allow that to take place. I do not know what the cosy deals and the kickbacks are.

Mr Yewdale: Cheap labour.

Mr FITZGERALD: The honourable member says "cheap labour". In other countries, the job can be performed cheaper. The Australian exporter has to pay $85 a box instead of $25 a box, and that affects the Australian producer, who receives less for his product. It is called contract labour. As well, the delay in cleaning a box can be up to three or four weeks. A container could be sitting there empty for three or four weeks.

Mr Yewdale: It's all fabricated.

Mr FITZGERALD: The delay is up to three or four weeks. The honourable member should check his figures.

Another point relates to ships carrying grain from Australian ports.

Mr Borbidge: The Labor Party has protected these rorts for years.

Mr FITZGERALD: It will be exposed very soon in more ways than one.

Not only do the grain ships have high loading charges at the docks, but they must order labour 24 hours in advance. Honourable members might say, "Well, that's reasonable." However, that does not occur throughout the rest of the world. In other countries, waterside workers do not have to be given 24 hours' notice in advance. What happens if a problem occurs? Because the grain to be loaded must be inspected by the Department of Primary Industries and a certificate must be issued, if a problem occurs and the ship is not loaded until the next day, 24 hours' labour is paid and not one grain goes up the conveyor belt into the hold of the ship. It is a major problem.

Mr Davis interjected.

Mr FITZGERALD: I am saying that arrangements could be made so that the workers were on standby and they could be paid adequate wages. However, the shipping lines are merely passing on the cost. They ascertain the cost of berthing in Brisbane and then build an extra 24 hours into the cost. Of course, the grain-growers pay for that. Many problems have arisen on the wharves.

Earlier today, I mentioned the cost of loading containers. In Brisbane, it costs $250 to lift a container. However, in London, it costs $160. No-one can convince me that landing costs and overheads in London are that much cheaper than they are at Fisherman Islands, which is an excellent facility with the same ships, the same cranes and the same fork-lifts.

A number of other issues with regard to restrictive work practices on the wharf should be addressed. One problem is that the producers and the shippers merely add the costs on. There is no competition on the wharf compared with any other form of transport. If a person does not receive service from an airline, he goes to another airline. However, if a person wishes to send produce through a port, he either accepts the service or lumps it, or he sends it some other way. If it cannot be carried by air, it must go through a port. There is no competition between the shipping companies. They merely add on the costs. We need more market feed-back. The only way to compare efficiency is to compare Australian ports with similar ports throughout the world.

Earlier today, I mentioned the number of containers that can be loaded in an hour. In Brisbane, fewer than 10 containers per hour are loaded onto a ship. In Papua New Guinea, approximately 20 are loaded. In New Zealand 22 are loaded. The Asian ports load well in excess of 30. If that is not inefficiency on our waterfront, I do not know what is. Australia cannot hope to survive as a major trading nation of this world unless it can clean up the problems that it has on its waterfront.

Noosa North Shore Development; Kingston Toxic Waste

Mr D'ARCY (Woodridge) (10.21 p.m.): The Noosa North Shore development of Barrie Loiterton's Leisuremark is one of the most sordid in Queensland's history. This man and his henchman, Ian Hall, have conned, threatened and bought off influential people in this State to promote an environmentally disastrous project.

I am calling for a full corruption inquiry into all aspects of the Leisuremark deal. With that in mind, I am making available to Mr Gary Crooke, QC, commissioner and chairman of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct, all my files, correspondence, notes of meetings and diary notes as chairman of the now defunct coastal development committee of the Labor caucus and speeches in Parliament by me and Clem Campbell, the member for Bundaberg.

The Chairman of the Noosa Shire Council, Noel Playford, and some of his councillors have questions to answer. Playford has just been mysteriously appointed by Harper to the Fish Management Authority, despite the fact that Noosa has no professional fishing base. They must answer some very serious questions in relation to their dealings with Minister Harper over the Tewantin Marina, Playford's involvement in securing the Leisuremark deal, after first having a writ from that company, and their involvement in limiting the current ferry services to the north shore to advantage Leisuremark.

The member for Cooroora, Gordon Simpson, should be called on to explain his mysterious about-face on the issue. Because of the disastrous method that this Government uses to allow coastal development in this State, five Ministers are involved and each of them has a separate, as well as a collective, case to answer. The Ministers involved are Local Government Minister Randell, Primary Industries Minister Harper, Maritime Services Minister Neal, Environment Minister Muntz and Lands Minister Glasson. I have correspondence from all of them. Although Jim Randell has done most of the public fronting and has some very serious questions to answer, I believe from my private conversations with him, which are noted, that he is honest and too dense to have been bought off, but that does not prevent him being used by others.

The Conservation Council of Queensland also has some mysterious behaviour to explain.

The *Sunday Mail*, my staff and I were threatened by Barrie Loiterton. A remark by Barrie Loiterton to a senior *Sunday Mail* executive indicated that I had been intimidated. I also believe that he or his henchmen must have threatened other members of the Labor Party. All of this is in the information that has today gone to Mr Gary Crooke, QC.

I now seek leave to table a Griffith University report, which is a scientific evaluation of the work commissioned by the State Government from Sinclair, Knight and Partners up until January 1989 on the Kingston toxic waste.

Leave granted.

Whereupon the honourable member laid the document on the table.

Mr D'ARCY: This report, which has not been released, mysteriously appeared in my office. It contains the most damning criticism of the Government's investigation that one could imagine.

The report made the following findings—

investigations were poorly conceived;

samples were not representative;

there was unexplained sampling analysis;

the source of contamination was not adequately characterised;

contamination of ground waters was not established;

hazards to the environment were ignored;

there was no quality control program;

waste material investigations undertaken are inadequate; and

little weight should be placed on the results of the investigations to define the nature and extent of contamination.

The total blame for the disaster at Kingston must rest with the Premier, Mike Ahern, who has lied, cheated and deceived the people of Kingston.

I will outline the facts. I first took the problem to the Premier when he was Minister for Health in mid-1987. He promised immediate action and plenty of sympathy, and that is all we got. The two greatest assets of the people were threatened: their health and their largest financial asset, their home.

The reports and investigation by the Government till January 1989 are not worth the paper they are printed on, as shown by the Griffith University report. After two years, not a shovelful of toxic waste has been removed. People are still living on the site and private medical advice is that families, particularly children, must be shifted.

No mention has been made of moving the highly toxic material in the main open cut. In fact, that has been ignored. Private investigations show that the health tests carried out by the Government were about as scientific as the work done by Sinclair, Knight and Partners. Sinclair, Knight and Partners should never be given another job by a public authority in Queensland. To date, everything it has touched has turned sour. No sampling was released and results of the sampling did not go back 20 years to include people who had moved. The cases of serious ill health in the area could not possibly be representative of Queensland. There are just far too many.

Mike Ahern has lied and misled the people of Kingston and Queensland about the toxic waste problem. The so-called health survey carried out in Kingston and the so-called control group at Beenleigh were a total farce. The limited blood-testing that has been done is totally inaccurate and inadequate. The task force completely denies pleas from families who are suffering from unexplained illnesses—maybe the effects of toxic chemical overloads in their systems—and whose children are suffering from unexplained rashes, as stated by the co-ordinator in her own report. The cases of cancer and leukaemia in the area, especially in the young, are now in epidemic proportions.

The members of some families have become ill because of the toxic environment. The Government's so-called medical experts have sent down psychiatrists, psychologists, a sociologist, a psychiatric nurse——

Time expired.

Economic Policies of Federal Labor Government

Mr HINTON (Broadsound) (10.26 p.m.): I want to take a few minutes to talk about something that I am sure our friends on the other side of the Chamber certainly do not want to talk about any more.

Mr Lee: We'll give you five.

Mr HINTON: I thank the honourable member very much. That is very generous of him.

What our friends on the other side of the Chamber do not want to talk about are the catastrophic effects of Labor's Federal economic policies. Honourable members have seen many smoke-screens recently around the countryside, with Senator Richardson touring all over the countryside making wild accusations with regard to the environment.

Mr Beard: John Kerin doesn't like him.

Mr HINTON: The honourable member is dead right.

Honourable members have seen Bob Hawke at cricket matches. I might say that it is only when Australia is winning that we see him at cricket matches. What we do not see any more is Mr Keating travelling all over the countryside. He is firmly under lock and key because Labor's catastrophic Federal policies are biting very deeply into the people of Queensland, and certainly the people of my area.

Mr De Lacy: Have a look at tomorrow's opinion poll.

Mr HINTON: The honourable member should have a look at the Labor Party's Federal opinion poll. The Federal Labor Government is not going too well. It is on the way down.

I can assure the member for Cairns that the issue of high interest rates—and that is what is really hurting the people—will take him down. The Opposition might have a smoke-screen at present, but I can assure the member for Cairns that the high interest

rates will take him down. Recently a poll was conducted in my area, and I can assure the honourable member that the major issue in my area is the high interest rates that are hitting the hip-pocket nerve and sending the people who live in my electorate into poverty.

Mr Beard: Which area—Broadsound or Kenmore?

Mr HINTON: I am talking about central Queensland. The honourable member should have a look out of the aeroplane window the next time he is flying over the area.

When one visits those areas, one finds that the average family is living in poverty. It is not just the lower socio-economic group that is sinking into poverty; it is middle Australia that is sinking into poverty. Small businesses and families are being cut to shreds by the high interest rates brought about by Mr Keating.

Recently I was shocked when I visited the major high school in my electorate and spoke with the principal. He told me that some of the children who attend the high school sit listless in their seats because they are no longer being properly fed. Their parents cannot afford to buy high-protein foods, because if they do, they cannot meet the interest payments on their houses and they cannot keep the family car going. That is a very serious state of affairs. However, that is the state of affairs that the Hawke Labor Government has brought us into in this country.

I can assure honourable members that it is a very serious state of affairs indeed and one that will sink members of the Opposition and certainly drive them out of those northern seats of Thuringowa and Cairns. I can assure the Opposition of that. When I go down the main street of Yeppoon, what do I find? I find empty shops because small business in my area cannot survive with 20.75 per cent interest rates. The turn-over of those businesses is around about 60 per cent. Sixty per cent of those businesses fail every two years because of high interest rates. That is a major problem. Recognition has to be given to the major employers in this country. Small business is the major employer in this country.

Mr Beard: That's right.

Mr HINTON: I thank the honourable member very much. That is the problem that is adversely affecting my area.

I remind honourable members of the Prime Minister's promise. He said that no child would live in poverty by the year 1990. He has only got a few months to go, and I can assure honourable members that the trend is heading in the wrong direction, and it is heading in the wrong direction fast.

Mr Lee: Do you think Mr Keating will take Hawke's job too?

Mr HINTON: The only job that Mr Keating will have is back in the second-hand clock market. I can assure the honourable member of that. The way things are going, he has got no chance of staying in politics.

I stress again the difficulty that families are having. Last week I stood in the local supermarket and watched the mothers walking along the aisles. They would pull out an item from the shelf, look at the price on the item, their faces would go a little bit white, and they would put the item back. At the cash register, their faces turned white with concern till they found out just how much it would cost them, because they knew that they did not have much money to meet that bill. Those are the problems that the average people are encountering—not the smoke-screens that are being spread all over the countryside by the Federal Labor Government, the attacks on Queensland farmers about Graslan or whatever it might be.

Time expired.

Capital Works Funding at Schools

Mr SHERLOCK (Ashgrove) (10.31 p.m.): I am delighted to join the debate tonight to refer to the schools in my electorate and to some of their urgent needs for capital works. I draw particular attention to the complete replacement that is required of the toilet blocks at the Ashgrove State School and at the Mitchelton State School. On a day such as today, the students at the Ashgrove State School would be feeling the westerly winds because the verandas badly need enclosing. I might add that the sick room is on an open veranda. When children are sick in the middle of August, they are forced to spend their time on an open veranda supervised by teachers in a westerly wind.

The provision of covered walkways is required at the Ashgrove State School, at the Hilder Road State School, at the Mitchelton State School and at The Gap State School to protect children from the weather when they move from one building to another, whether it be in the rain or in the weather that has been experienced today.

Shaded storage areas are needed for schoolbags, including lunch-boxes, at the Hilder Road State School. It is a school with a large student population. In terms of growth, it is a burgeoning school. In summer-time, when temperatures are high, children are forced to leave their schoolbags in the open with their lunch-boxes sitting in them.

Office renovation is required at The Gap State School, at the Ashgrove State School and at the Mitchelton State School. All of the schools in my electorate require covered assembly areas. Painting of buildings at The Gap State School is a real need. This year, the Ferny Grove State High School is 10 years old. It is also a rapidly growing school in a rapidly growing part of the electorate. Although it is a very fine school, in the space of 10 years it has not had a coat of paint.

The replacement of temporary class rooms with permanent class rooms at the Hilder Road State School is an urgent need. Again this year, in answer to requests, temporary class rooms have been provided. That is not good enough. The Gap State High School is another example. The speech and drama class has been pushed out of its normal teaching home. It has been forced to move from place to place around the school. This is just a matter of priorities. It is a matter of management, a matter of planning. Good program planning is required.

The parents and citizens associations at those schools can be excused for being cynical when they see $12,000 being spent on the Government jet being despatched to Darwin to bring back a member to vote in this Chamber and the payment of a fare to take him back the very next day. The members of p. and c. associations see the cost of the Government's self-promotion advertisements on television at tax-payers' expense. They have heard about the cost of the proposed referendum, about which we spoke today. The cost of the unwanted referendum, which is aimed at extending the life of this Parliament, will be between $5m and $10m. It has nothing to do with electoral reform. The $12,000 spent on using the Government jet could provide the replacement of the junior girls' toilet at The Gap State School, where a seven or eight-year-old girl who goes to the toilet at lunch-time and pulls the chain puts that toilet block out of operation for the entire lunch-hour. That toilet could be replaced with the money used to pay for one of those television advertisements to which I have referred.

Per head of population, Queensland spends $63 less on education than the national average. This deficit in education funding forces parents and friends of State schools to raise money for additional resources and to pour in extra hours of voluntary work. Schools at The Gap, at Ashgrove and at Mitchelton have protested to the Premier about cuts in education-funding. They are particularly concerned about the extra administrative and accounting burden that is being placed on principals by the Government's recent devolution of authority policy.

The p. and c. associations of all of those schools are hard-working groups of parents. They are working harder than ever to provide playgrounds, mower fuel, photocopiers and computers for their schools. I would add that the Hilder Road State School p. and c. association is able to carry out program budgeting. It is a copy-book exercise at that

school. It has a principal, a p. and c. executive and parents who have the skills to work and the dedication to do the job. Many of the schools throughout Queensland, including the schools at Ashgrove, do not have those skills. The philosophy of the devolution policy is dead right. The pace of its introduction has been wrong. The back-up of resources from the Government have not been good enough. Again, the burden is being placed on parents to make sure that the education needs in this State are being carried out and provided by those people rather than by this Government, which squanders its money on exercises such as the referendum, which honourable members spent some time debating tonight.

Federal Liberal Party's Proposed Taxation Concessions

Mr ELLIOTT (Cunningham) (10.36 p.m.): Tonight I would like to raise a subject that is obviously of concern to the people of my electorate. On the surface, the announcement made by Mr Peacock when he was in this State recently about the payment of tax on interest earned after adjustment for inflation sounds quite reasonable. At first, that statement sounds very reasonable. As Mr Peacock indicated when he announced the proposal, interest expenses, rather than nominal interest expenses, would be tax-deductible. In other words, there would be a component for inflation in respect of what a person could claim.

The usual subject that is referred to on the front page of the *Courier-Mail* every day is the first home buyer. For that person, the proposal outlined by Mr Peacock is probably quite a reasonable proposition. However, if one sits down and thinks it through, one discovers that people borrowing funds for any type of business enterprise will be able to claim only part of their interest bill.

I do not intend to knock this proposition out of hand. However, I am questioning whether or not Mr Peacock and those people who have been involved in the proposition have really thought it through. On the surface the proposition looks quite reasonable. However, some people in Sydney have homes that could be valued at anything up to $1m. Under the present Labor Government's system of capital gains tax, those people can continue to exchange and change their homes without paying tax on their windfall profits.

The position of those people is quite different from that of people in small business. For example, a person in a corner store in Brisbane might work from 7 a.m. to 7 p.m. and God knows how many other hours trying to get goods into stock, getting the business up and running and doing the books when the store is not open. People such as that, those who work in small welding works or even primary producers would be disadvantaged if the proposition were introduced. The Labor Party should consider the proposition very hard and long and cost it properly. It is probably quite a good exercise for home-owners.

Mr De Lacy: It is not going to make any difference to home-owners.

Mr ELLIOTT: Yes, it would.

Mr De Lacy: Not the slightest difference.

Mr ELLIOTT: Of course it would.

Mr De Lacy: They cannot deduct their interest.

Mr ELLIOTT: Obviously the honourable member has been talking instead of listening.

It has been claimed that interest will be deductible for home-builders, home-owners and so on. The suggestion is that the inflationary component be taken out first. Although that sounds very good, it is most essential that the proposal is followed through to determine what that means precisely for any sort of business, particularly small business, because I believe that it will have a very adverse effect on them.

It is the old story. Often something that seems very good on the surface is proposed, but when one goes into the nitty-gritty of it some very real problems are discovered.

Mr De Lacy: You are not suggesting Peacock is a dill?

Mr ELLIOTT: No, I would not go so far as to say that. He put up a much better show than Bob Hawke did during that television debate. One would have to say that he absolutely murdered him.

Time expired.

Motion agreed to.

The House adjourned at 10.42 p.m.