NOTE: There could be differences between this document and the official printed *Hansard*, Vol. 314

WEDNESDAY, 16 MAY 1990

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 2.30 p.m.

ADDRESS IN REPLY

Presentation and Answer

Mr SPEAKER: Honourable members, I have to inform the House that, accompanied by honourable members, I this day presented to His Excellency the Governor the Address of the Legislative Assembly, adopted by this House on 8 May, in reply to His Excellency's Opening Speech, and that His Excellency has been pleased to make the following reply—

"16th May, 1990

Mr Speaker and Members,

As the Representative of Her Majesty The Queen, I tender to you and the Members of the Parliament of Queensland, my sincere thanks for the Address-in-Reply to the Speech which I had the honour to deliver at the Opening of the First Session of the Forty-sixth Parliament on February 28th last.

It will be my pleasant duty to convey to Her Majesty The Queen the expression of continued loyalty and affection to The Throne and Person of Her Majesty Queen Elizabeth II from the Members of the Legislature of Queensland in Parliament assembled.

The Queen is the unifying centre for the peoples of the Commonwealth of Nations, and a sign to the world of our faith in freedom.

I trust that your labours to promote the advancement and prosperity of this great State will meet with success in full measure.

I pray that the blessings of Almighty God may rest upon your counsels.

W. B. Campbell

Governor"

PETITIONS

The Clerk announced the receipt of the following petitions—

Daylight-saving

From **Mr Ardill** (10 signatories) praying that daylight-saving be abolished.

A similar petition was received from **Mr Bredhauer** (57 signatories).

Proposed Marinas at Wynnum and Tingalpa Creeks

From **Mr Burns** (42 signatories) praying for a rejection of proposals to construct marinas at Wynnum and Tingalpa Creeks.

Enforcement of Fisheries Rules

From **Mr Davies** (361 signatories) praying for the appointment of more fisheries inspectors and for an increase in penalties for breaches of the rules.

A similar petition was received from **Mr Prest** (56 signatories).

Petitions received.

PAPERS

The following papers were laid on the table--

Orders in Council under the Education (General Provisions) Act 1989

Report of the Valuers Registration Board for the year ended 31 December 1989.

MINISTERIAL STATEMENT

Katter/Apps Brick

Hon. A. M. WARNER (South Brisbane—Minister for Family Services and Aboriginal and Islander Affairs) (2.35 p.m.), by leave: I rise today to respond to an article that appeared in the *Sun* on the weekend. I wish to point out also that it is another example of the sorts of rorts and abuses of ministerial office that the Queensland public has come to expect from the Queensland branch of the National Party.

I am sorry that the honourable member for Flinders is not in the House today. It involves a harebrained scheme, not an isolated one, by my predecessor, Mr Katter, to develop at taxpayers' expense a brick or building block—a project which I am told was referred to by many of his staff as "Bob's batty brick".

Honourable members may have read in the weekend press all about Mr Katter's version of the events relating to this so-called mortarless building block. For the record, I would like to clarify a few points. If this story was not so serious, involving the misuse of thousands of dollars of taxpayers' funds and a deliberate abuse of ministerial power, it would be funny. But it is no joke.

I first became aware of the existence of this brick following a call made to the Aboriginal and Islander Affairs division by Mr Katter following the Nationals' election defeat. Apparently, Mr Katter rang the department searching desperately for his bricks and his brick moulds, which he wanted returned to him. Of course, at first we asked ourselves what on earth Bob Katter would want with some bricks. But after some investigation I discovered that Mr Katter was in fact searching for a brick that he had been party to developing and, typically for him, had misplaced. So I investigated further and discovered that Mr Katter, having, as we all know, an extraordinarily fertile mind, had conceived the idea of an Aboriginal brick.

But this brick of Mr Katter's was no ordinary brick—it was said to require no mortar. It was designed with slots, a little like Lego, to interlock with other bricks and required little skill to lay--in fact, even a child could do it—which is highly indicative of Mr Katter's attitude to Aboriginal and Islander people.

In short, this is how the Katter brick developed. On 18 May 1988, at Mr Katter's request, Mr Greg Topalov was engaged at a cost of $2,450 to develop a design for an interlocking block. At that stage, Mr George Apps of Hughenden, who can be described as an associate of Mr Katter, came on the scene and he, too, had produced an interlocking block design. Apparently, nothing was paid to Mr Apps, and this block design then became known as the Katter/Apps brick.

On 17 February 1989, Mr Katter directed that a particular departmental officer have exclusive responsibility for this project, marking it as "urgent". However, on 24 February 1989, this officer complained to the then under secretary that he believed that the project was neither feasible nor cost effective—a massive understatement if ever I have heard one. This officer also indicated his concern that there may be some impropriety in using departmental funds to produce the moulds and the specimen bricks.

In view of the personal involvement of the former Minister, along with Mr Apps, in the design development and the questions of patent, production of prototypes, royalties

and licence fees, on 6 March the under secretary sought advice from the Crown law office on the appropriateness of an application by Mr Katter and Mr Apps for patent for the brick. I stress that my information is that the application for patent was to be in the names of Mr Katter and Mr Apps, not the department's. In response, the advice of the Crown law office was that there was "an apparent conflict of interest in that the proposal envisaged that funding for the feasibility study was to be provided by the department presently under the Ministerial control of Mr. Katter". That advice further stated that, in the view of the Crown law office, there was "no identifiable present benefit to Aboriginal communities in the proposal . . . The proposal was essentially a private-enterprise pursuit which had possible indirect benefits for the underprivileged".

In May 1989, the under secretary advised the former Minister not to proceed further with this project, but Mr Katter still insisted that it must proceed and that moulds must be produced. However, at the request of the former Minister, a Mr Nigel Rose of N. S. Rose and Co. on the Gold Coast was requested to produce models and moulds for the production of both block designs. But again there were more problems for poor Mr Katter. No commercial machines were available to make the blocks. So Mr Rose was further requested to design a machine to produce blocks for the construction of an experimental house in Brisbane. However, after much discussion, Mr Rose was unable to produce the blocks.

The block manufacture was then carried out by Caloundra Block Works. To meet the time demands of the former Minister, a special dry- mix concrete-mixer was purchased at a cost of $7,685, and Mr Rose's machine and compressor were hired at a cost to the department of $900.

By now, honourable members must be thinking that after all this work had been done and all this money had been spent in developing the concept, the resulting brick must have truly been a technological break- through—a world first to solve the nation's balance of payments problems and the Third World housing shortage. But not so. Unfortunately, like so many of Mr Katter's ideas, it was a dud.

In fact, on 4 May 1989, the Department of Works told Mr Katter that if a wall was to be erected using the bricks, it would collapse after reaching a height of only 3 feet. Even with his memory, Mr Katter must know that the indigenous people of Australia grow much taller than that. So, it seems that after producing just a couple of hundred blocks, the project was abandoned as impractical. Seriously, the fact is that Mr Katter should never have allowed the project to proceed to this point. The issue of impropriety aside—the former Minister wasted thousands of dollars on an idea that should have stayed just that.

Honourable members should look at the expert advice which was—

- The under secretary said that it was inappropriate to spend public money without Cabinet approval.
- The Crown law office said that there was a conflict of interest.
- The Department of Works said that it would not work.

But, against all odds, the former Minister proceeded, and an identifiable sum of $15,715, of which the Government is aware—not the figure of $5,000, as Mr Katter claimed in the *Sun*—was spent on preparing moulds and model bricks.

Then political events overtook Mr Katter and he lost his Cabinet position, and so lost access to his brick. That brings me back again to the telephone call from Mr Katter seeking custody of the said brick. I have to advise Mr Katter—unfortunately, he is not in the House—that not only did he rort some $16,000 of taxpayers' money on this hair-brained scheme, but he misplaced the moulds, lost the brick, and wasted everybody's time and energy, against all sane advice. Is it any wonder that former Premier, Mike Ahern, used to refer to the honourable member for Flinders as the "rebel without a clue"?

In an area of Government responsibility that has been so dramatically underfunded, so underresourced and so mismanaged over three decades as the Department of Aboriginal

and Islander Affairs has, one would have thought that even Mr Katter would have had more pressing priorities. Of course, that is not the only example of his eccentric and unnaturally persistent pursuit of wild concepts. I could use the whole session to outline the weird and wonderful tales of his plans for experimenting on Aboriginal and Islander people.

The large men of the Torres Strait islands are still coming to grips with Mr Katter's suggestion that they fly by ultralight plane to attend meetings of the Island Co-ordinating Council. Can honourable members imagine that?

Then, there is the famous story about the coconuts. When telling the members of the Island Co-ordinating Committee of the need for greater economic activity, Mr Katter advised them to pick their coconuts. He told them he would send the infamous Melbidir round to collect the coconuts and arrange to sell them on Horne Island, where they could be rendered into charcoal for the purposes of gold-processing. I was told that the Islanders dutifully picked their coconuts, sold them to the department for 70c a pop, filled up the Melbidir to the gunwales and shipped the coconuts to Thursday Island. However, upon arrival at Thursday Island, the Islanders found that the operators of the goldmine did not want the coconuts after all, and the island's executive officer was left sitting with a boatful of unwanted coconuts. In the end, those coconuts were disposed of at the Thursday Island dump.

Mr Speaker, I say with some pride and great relief that the days of Mr Katter and the Nationals are now long gone and that never again will Queensland's indigenous community be subjected to the types of Katterisms that I have outlined.

Opposition members interjected.

Ms WARNER: Opposition members know that this is true. They have heard it a million times.

Mr FitzGerald interjected.

Ms WARNER: I have all day. Opposition members have heard it all before.

I believe that this House needs to be more serious about the matter. Improving the lot of Aboriginals and Islanders is a very serious issue. Members opposite can rest assured that the Goss Government will embark upon a serious program of real reform in this area.

QUESTIONS UPON NOTICE

1. Withdrawal of Science Teacher from Science and Technology

Mr LITTLEPROUD asked the Minister for Education—

"With reference to the fact that Prime Minister Hawke insists Australia must become the "clever country" and in the light of the fact Premier Goss has promised that Queensland must encourage industry and technology to broaden the base of the State's economy—

(1) Is it correct that the science teacher attached to the Science and Technology Centre has been withdrawn from his role of promoting interest in science?

(2) If so, how can this be justified?"

Mr BRADDY: (1 and 2) At the request of the Queensland Museum, the Department of Education seconded a teacher for the establishment of an education officer position to be attached to the science and technology centre with the Queensland Museum. The teacher took up this position in September last year.

In August, the position of curator/manager of the science centre was established and the seconded teacher was successful in gaining appointment to this position, which she commenced in November. Officers of the museum then requested a replacement

seconded teacher. However, the Department of Education was unable to identify a suitable replacement, as teachers within schools were fully committed at that time.

The museum was advised to reapply for such a position from the beginning of Semester 2 of this year. There is every chance that a replacement teacher will be available at that time. Until the question of a replacement seconded teacher is resolved, the curator/manager will still organise and coordinate visits by school groups and provide services to these groups when they visit the centre. She has continued to examine ways to improve services to schools and, recently, has worked on the development of an outreach capacity so that more schools may be included in the centre's activities.

2. Western Queensland Floods

Mr COOMBER asked the Premier, Minister for Economic and Trade Development and the Arts—

"With reference to the disastrous flooding in Western Queensland—

(1) What is the estimated cost to the Government of Queensland for disaster relief to Western Queensland?

(2) What financial assistance will be forthcoming from the Federal Government?

(3) Will any Government programs be deferred to fund the disaster payout?

(4) What is the anticipated insurance payout by Suncorp as a result of the flooding to Western Queensland?

(5) Given the fact that most affected people did not have flood insurance, will Suncorp insurance policy holders suffer massive increases to policy premiums?"

Mr W. K. GOSS: (1) At this early stage, it is not possible to provide more than a very preliminary estimate of the cost to the State Government of the flooding in western Queensland. The final expenditure by State and Federal departments and instrumentalities could exceed $65m—Commonwealth Government, $30m; State Government, $30m; and statutory and local authorities $5m.

(2) Under the Commonwealth/State natural disaster relief arrangements, non-repayable grants are provided for the relief of personal hardship and distress and the restoration of public assets. Concessional loans are made to small business and primary producers for carry-on, restoration and restocking purposes.

(3) The major cost impact of the flooding will be on the 1990-91 State Budget, with approximately $26m to be set aside. Naturally, this provision will place added strains on the funds available for the introduction of new programs, but its full budgetary impact is yet to be determined.

(4) Projected at under $2m, mainly for motor vehicles.

(5) All insurance companies—Suncorp included—regularly review premiums on the basis of claim and other costs, the impact of which is spread over policy-holders. The effect of the floods is not expected to be a major factor in future reviews by Suncorp.

3. Hotel Licence Fees

Mr SCHWARTEN asked the Minister for Tourism, Sport and Racing—

"What are the names and amounts of outstanding moneys owed by hoteliers on licence fees throughout Queensland and what is the period of time that such fees have been outstanding?"

Mr GIBBS: A total of $4.4m is owed in liquor licence fees by 57 hotels throughout Queensland. All of them are being pursued by the Licensing Commission in accordance with provisions of the Liquor Act. For instance, the proprietors of 18 hotels have been served a notice to show cause why their licences should not be forfeited for failure to pay licence fees while, in another 20 instances, action is currently being taken to issue a notice to show cause.

The Licensing Commission has the power to grant an extension of time for the payment of the licence fee, and this has been done in relation to a further 17 hotels. I should point out that any extension of time is subject to the payment of an additional fee at the rate of 20 per cent per annum.

One licence has been surrendered and, in the remaining case, the licensee has left the premises. Advice has been sought from Crown law on these cases. In all but three instances, the outstanding fees relate to the current financial year.

Because of the secrecy provisions under section 6B of the Act, I am not at liberty to reveal confidential information to the honourable member on the amounts owed by the proprietors of individual hotels.

4. **Police Stock Squad**

Mr RANDELL asked the Minister for Primary Industries—

"With reference to plans by the previous Government for an extensive upgrading of staff numbers and facilities in the Stock Squad and to reports that the changes have now been deferred pending a departmental review—

(1) Does he recognise the need for improvement to the Stock Squad, as being requested by grazier organisations?

(2) Will he approach his colleague the Minister for Police and Emergency Services and request an urgent upgrading of the squad to cope with their heavy workload and the needs of the pastoral industry?"

Mr MACKENROTH: On behalf of the Minister for Primary Industries, the answer is as follows: I—that is, the Minister for Primary Industries—must express some surprise, Mr Speaker, that this question has been directed to me and not to the Minister for Police and Emergency Services. Nevertheless, I am happy to oblige the honourable member on behalf of the Minister for Primary Industries.

(1) The first part of the honourable member's question appears to imply that a "need for improvement" in the Stock Squad's operations has been around for some time. I find it strange that the member for Mirani, despite his presence at a number of Cabinet meetings in the dying days of the last few National Party Governments, did not believe the matter significant enough to raise there and then. I hope he was not conned by the unfunded promises made by the Cooper Government prior to 2 December 1989.

(2) Naturally, I would support any redevelopment of the Stock Squad into a more effective law-enforcement agency. My views are well known to the Minister for Police and Emergency Services. The Government has begun a number of programs for improvements within the Queensland Police Service, in line with the recommendations of Mr Tony Fitzgerald. The operations of the Stock Squad are being examined in the context of that review.

Naturally, I will continue the well-established process of consultation with my colleague, the Minister for Police and Emergency Services. It is a process obviously foreign to the member for Mirani, because it appears that, despite his presence in the former Government's Cabinet at some stage of the demolition proceedings, nobody bothered telling him that promises to upgrade the Stock Squad were nothing more than an election-time hoax.

5. **Hospital Incinerators, Burning of Plastic**

Mr RANDELL asked the Minister for Environment and Heritage—

"With reference to a Government decision to effectively close the Sunnybank Private Hospital incinerator on environmental grounds and to the media statement

by the Member for Mt Gravatt saying, 'The Hospital hasn't been told to shut down the incinerator but not being able to burn plastics will have a similar effect—

(1) Will he clearly outline whether plastics may be burned in the incinerators of the major public hospitals throughout Queensland, especially Royal Brisbane Hospital?

(2) Will he be applying the same criteria to all hospital incinerators as those that were applied to Sunnybank Private Hospital?"

Mr COMBEN: (1 and 2) The Department of Environment and Heritage has placed a notice on the Sunnybank Private Hospital under section 22 of the Clean Air Act in respect of the operation of its pathological incinerator. This notice was placed on the hospital on 6 December 1989 following a long history of complaints by local residents and a sequence of events predating the issue of the notice by some months. Effectively, this decision on 6 December was made by the former National Party Government. This Government, which was sworn in on 7 December, does not now intend to alter the decision that was made. The hospital has appealed against the order and the matter is in the process of being determined by the court. In the circumstances, until the matter has been determined, it is inappropriate for me to comment on the matter or to compare the situation at Sunnybank with that at other hospitals.

In respect of the specific questions raised by the honourable member, I would state that the burning of plastics in Queensland may be permitted in incinerators suitable for that purpose and appropriately located, whether they relate to hospitals or otherwise, taking into consideration all the factors related to the particular disposal. In reply to the second part of the question—the standards will be applied uniformly.

QUESTIONS WITHOUT NOTICE

Ensham Coal-mining Project; Government Policy on Foreign Investment

Mr COOPER: Whilst the Opposition is aware of the difficulties faced by the Government concerning the Ensham mine arrangements, I ask the Treasurer: as Minister responsible for the foreign investment review secretariat, was this matter referred to the secretariat and what is his Government's policy on foreign investment? Is it ALP policy to "ensure a minimum of 50 per cent Australian equity in all new minerals and energy resource projects", and is that a direct contradiction to the Treasurer's decision to allow 100 per cent Japanese/Korean ownership of the Ensham coal deposits?

Mr De LACY: It is interesting to hear members of the Opposition asking questions about foreign investment. When the Opposition was in Government it had no policy at all.

Opposition members interjected.

Mr SPEAKER: Order! I ask members on my left to interject one at a time. Interjections are healthy in a Parliament, but if six members interject at once, I cannot hear the Minister. I will begin to warn members if they interject in unison.

Mr De LACY: The policy that the Goss Government took to the people, and which was resoundingly endorsed on 2 December last year, stated that we welcome foreign investment in the mining industry, particularly when it creates employment, introduces new technology and creates new markets. Our policy was in line with the FIRB policy, and I am referring to the policy published prior to the election, the policy on which we went to the people.

Mr Borbidge: That's it; 50 per cent.

Mr De LACY: No. I am talking about the policy the Labor Party went to the people on. This policy was in line with the FIRB policy—and we stated as much—which said that this Government would accept foreign investment in mining development

if there was 50 per cent Australian equity. However, a larger foreign equity could be acceptable if it was obvious that there was no more——

Opposition members interjected.

Mr De LACY: Opposition members have asked me what the policy is and I am telling them. If it was obvious that there was insufficient Australian capital to develop a mine, a larger foreign equity would be acceptable, provided it was not against the national interest. The Ensham mine issue is not a foreign investment issue at all, it is a development issue. Under the previous National Party Government we were locked into 90 per cent foreign equity. We are now faced with the problem of whether or not we develop that mine. This Government made the very simple decision——

Mr FitzGerald: Nineteen per cent. That's not right, 19 per cent. Come on, not 10 per cent.

Mr De LACY: It is 19 per cent?

Mr FitzGerald: You said 10 per cent. Get your facts right. If you are going to give facts, get them right.

Mr De LACY: All right, here are the facts. Prior to the decision made this week, the Goss Government was locked into 90 per cent foreign equity interest in the Ensham mine by the previous National Party Government. I will stand by those figures. This Government had to make a decision as to whether or not the coal deposits remain in the ground or whether developments are based on these resources. These coal resources belong to the taxpayers, the people of Queensland. They are not resources that belong to the mining industry.

Mr FitzGerald: It doesn't fit with your policy, does it?

Mr De LACY: It fits in exactly with our policy. Our policy is that we welcome foreign investment if it brings about development. That is the policy we went to the people with. It was widely published and accepted by the people. This Government has not changed the policy. It is still in place and we are implementing it.

Mr FitzGerald: Will you table it?

Mr De LACY: I do not have it here now, but I will table it, of course.

Olympic Video Gaming Pty Limited

Mr COOPER: As Minister responsible for the Casino Control Division, which is charged with vetting tenders for poker machine sales, I ask the Treasurer: can he confirm that Olympic Video Gaming Pty Limited is a company which has lodged an expression of interest as a potential supplier of gaming machines to the Government and can he confirm the news reports today which appear to have emanated from the office of the Minister for Tourism, Sport and Racing that Olympic Video is a likely supplier? Also, can he confirm that a principal of Olympic Video Gaming Pty Limited has been convicted of smuggling, producing untrue documents and making false statements, all in relation to gaming machines?

I table advertisements which show that Olympic Video has sufficient confidence in its Queensland future to be advertising for staff and copies of court documents relating to the various convictions of one Nick Balagiannis, managing director of Olympic Video Gaming Pty LImited.

Whereupon the honourable member laid the documents on the table.

Mr De LACY: I cannot confirm this, because I have not seen the expressions of interest that have come in.

Proposed Multifunction Polis in North Queensland

Mr PREST: I ask the Premier: is he aware of concern and disquiet in the Townsville and north Queensland community about the Government's decision to support the Gold Coast-based 2020 syndicate multifunction polis proposal, and can he explain to the House why the north Queensland proposal for a multifunction polis was not approved by the Government?

Mr FitzGerald: Where are you going to get the water from—the Wolffdene dam?

Mr W. K. GOSS: The honourable member will be able to ask a question shortly.

The situation is that once the joint MFP steering committee change the requirements of submissions from the States from being project-specific to sites-specific, the States—including Queensland—were left with only a very short period in which to prepare a submission nominating a particular site. That did not allow time to call for expressions of interest from all or any potentially interested parties.

On advice, the Government decided to go to the two potential syndicates that were in the marketplace and work with them. In the process of assessing the particular claims and of putting together the submission, the clear advice from the Government's task force, headed by Professor Don Nicklin, was that the site between Brisbane and the Gold Coast was the best prospect and that the other one was not viable and was not competitive. The clear recommendation which was given to me, and which I took to Cabinet, was to go with the site between Brisbane and the Gold Coast.

In respect of the north Queensland submission, I inform the House that I understand it will be put in separately and I have indicated to the people involved that they should feel free to do that. Unfortunately, the submission from north Queensland was very late and in fact was not in the Government's hands in time for the Cabinet meeting. In any event, the clear advice that was received the week before was that, if the Government was to maximise Queensland's chances by lodging a submission, the Gold Coast site should be proceeded with in the feasibility process.

The concern that has been expressed is not well grounded or fair. I understand the enthusiasm that exists in north Queensland for the project, generally, but also for the discrete or separate activities that could be part of an MFP. The Government will certainly be giving every encouragement to the north Queensland members to participate and pursue any individual projects, if the overall MFP bid is not successful.

Ensham Coal-mining Project

Mr PREST: In directing my second question to the Premier, I refer to reports that suggest that the Government has damaged its relationship with the business sector in Queensland because of its decision to finally get the Ensham steaming coal project up and running. I ask: can the Premier explain to the House the background to the Government's decision to award an authority to prospect to the Idemitsu/Lucky-Goldstar coal consortium?

Mr W. K. GOSS: I am pleased that the honourable member for Port Curtis has asked this question. As this is a matter of some importance to the State and to the business community, I would have thought that the Leader of the Opposition may have asked the question, but he appears to have swerved away from the issue. Given that it is important, I believe that members should be apprised of the relevant facts.

The facts are that the essential question was whether or not the Government would enable this important project to go ahead. The project involves hundreds of millions of dollars in investment, 400 direct jobs, probably 1 500 jobs in support industries as a spin-off, and an estimated $9m per annum in revenue to the Government. The question was whether that project would go ahead or whether the Government would allow it to be blocked and the opportunity to be missed. In the interests of the Queensland public, the Government decided that the project should proceed. The decision was made on

that basis. Because of the failure of the consortium, the previous Government has a great deal to answer for. That is what occurred—a failure of the consortium. Ensham should not really be regarded as a precedent because it was unique in the sense that in about the year 1984 the previous National Party Government put the consortium together—not on the basis of a mutually agreed investment agenda and a timetable for progress, but with the high degree of possibility that the parties would never agree and that the project would ultimately fail. That was the situation that the Labor Government faced this year.

The five parties could not agree to proceed. This Government has to decide whether or not the whole project would be blocked or whether those parties who were willing to proceed should have been able to do so. The Government decided to allow those parties to proceed. In fairness to the Government, and despite some suggestions that the Government has taken precipitate action and the nonsense stated by the member for Toowong about vertical integration—he does not seem to understand the difference between vertical integration and transfer pricing, but perhaps he will get around to that—it must be stated that all the companies were advised by the Minister for Resource Industries in a letter dated 9 January that, upon expiration, the authority to prospect would not be renewed if they could not agree to proceed.

The companies had been given notice formally on 9 January. They knew what the situation was because they were advised that the Government was eager to proceed with the project. More than four months later, the Government simply proceeded along the lines of the formal notice that had been given to all the companies on 9 May. A copy of the letter from the Minister for Resource Industries was sent to Idemitsu, Pacific Coal, Agip, Lucky-Goldstar, Ensham Coal Associates and AQC Pacific. All the companies were advised and they all knew the situation.

The rabble opposite have spoken a lot of nonsense about foreign investment. The Treasurer's statements have been quite correct, but one slight adjustment needs to be made.

Opposition members: Oh!

Mr W. K. GOSS: Yes. Members of the Opposition dispute the fact that this Government inherited a consortium——

Mr Cooper: What is your policy?

Mr W. K. GOSS: I will come to that.

The previous consortium ownership that was inherited by this Government from the previous National Party Government, according to the Treasurer, was 90 per cent. It was not 90 per cent; it was 90.5 per cent.

In accordance with the consortium put together by the previous National Party Government and inherited by the Labor Government, the Ensham project would have proceeded on the basis of the arrangement made by the previous Government. If all five parties had agreed—and that would have been this Government's preference instead of having to reissue the authority to prospect to three of the parties—and if the project had proceeded, it would have proceeded on the basis of the previous consortium arrangement and the project would have been 90.5 per cent foreign-owned. Members of the Opposition can forget the hypocrisy about foreign ownership. Only a small increase in foreign ownership was to occur, and that was inevitable if the project was to go ahead and if the Government was to be able to deliver to Queensland 400 jobs as a direct result of the project, 1 500 indirect jobs, hundreds of millions of dollars in investment and millions of dollars a year in revenue to the public of this State.

Ensham Coal-mining Project

Mr BEANLAND: In directing a question to the Premier, I refer to the Government's decision last week to force the Australian company, CRA, out of a potential $400m development to mine the Ensham coal deposits in central Queensland, thus opening the

way for Japanese and Korean interests to take 100 per cent control. I ask: why has the Government ignored its own party policy that states, "Labor will ensure a minimum of 50% Australian equity in all new mineral and energy resource projects, and will encourage a minimum of 50% Australian equity in existing projects."? What controls does the Government intend to put in place to ensure that those companies do not take advantage of the resulting vertical integration to move the profits from that Queensland mine off shore?

Mr W. K. GOSS: This seems to be a case in which the honourable member thinks that he has a good question and, irrespective of the fact that it has already been answered, he decided to ask it, anyway. It goes to show that in that formidable arsenal at the back of the Chamber he does not have a spare question.

If the Leader of the Liberal Party had listened to the Treasurer and me, he would have understood the position quite clearly. If he had listened during the course of last year when foreign investment was debated, he would have understood the position before today.

Recently in this place, I told the honourable member's predecessor that the position of State Governments is well known. The decision on approval of foreign investment or not is made by the Foreign Investment Review Board at the Federal level. State Governments have marginal influence, and that is what this Government will seek to exercise.

I have indicated to the domestic corporate sector and to foreign investors that Queensland has a set of guidelines—I am happy to table them again—that clearly indicate that its goal is to obtain a better deal for Queensland and to obtain a better mix of foreign investment; to shift some of it out of the property and speculative sphere and move more of it into mining, manufacturing and new technology, which are areas of investment that will add to the long-term productive capacity of this State's economy—in other words, to build something that is truly lasting, certainly more lasting than the mix that it has at present.

To have the member for Toowong prattle on about vertical integration and foreign investment when he is a member of a party that goes to the people at election time with a promise to remove all Foreign Investment Review Board controls whatsoever is absolute laughable, farcical hypocrisy. I cannot take members of the Liberal Party seriously. They have a policy in black and white that states that there should be no controls whatsoever on foreign investment. However, on television last night, the honourable member spoke about vertical integration. It is a joke!

In relation to Ensham—presumably the inference behind the complaints from the Liberal Party is that the Government should have allowed CRA to stay in the consortium and allowed the project, as originally comprised of the five consortium members, to go ahead. The honourable member is advocating an Ensham project that is 90.5 per cent foreign owned. Where is the logic and the consistency?

The honourable member has brought forward some cheap points from a party that did not learnt a thing aat the last State election or at the last Federal election when it was rejected because it was lacking in substance. If Liberal Party members take that approach, they will stay huddled together in the cold of the back of the Chamber for a long time.

Ensham Coal-mining Project

Mr BEANLAND: In directing a second question to the Premier, I refer to statements by a Government spokesman on last night's ABC news that the Government had forced local miners out of the Ensham coal project because they had been dithering since the authority to prospect expired three months ago. I ask: is it true that his Government has told the coal industry that three months is too short a time in which to review coal freight rates, leading to complaints from the coal industry that his Government is dithering on this issue of vital importance to the State's economy.

Mr W. K. GOSS: It is not fair to say that they have been forced out in three months. The position is quite clear. However, I will repeat it. I know that it is a long way to the back of the Chamber, but I speak loudly enough even for those characters to hear.

An Opposition member: "Honourable members".

Mr W. K. GOSS: I am sorry. I speak loudly enough for those "honourable" characters to hear.

Those companies got into the deal in 1984. A letter dated 9 January from the Minister for Resource Industries stated—

> "Accordingly I do not intend to approve any application for renewal of authority to prospect No. 426C, nor to recommend mining lease application 2797, Clermont proceed to grant unless the title holders have agreed to proceed with development of a mine on the proposed mining lease."

The position was clear. They had been there for six years prior to that. Over four months ago, they received notice. The position was clear.

As to the second part of the question relating to rail freights—it would be absolutely foolhardy of the Government to rush a decision on that point without knowing what will occur at the Premiers Conference. If the honourable member wants the Government to make major policy decisions that have major financial consequences in the absence of knowledge as to what the State's financial position will be, he is putting forward a proposition that is absolutely insupportable and would be laughed at by any responsible managers.

Is this the quality of economic management that the Liberal Party offers? If it is, some of its members should return to the council. It is really ward politics.

The framing of the Budget will occur over the next three months and it will not be finalised until July, that is, after the Premiers Conference. The signals are clear that the spending of the States will be cut back and severe limitations could be imposed on borrowing limits. Those significant factors must be taken into account.

In relation to the rail freights argument—I am sympathetic to the argument put forward by the industry—the Queensland Coal Association in particular—that the Government has not reduced rail freights. The previous Government had 32 years to reduce rail freights—the Liberals were in coalition for most of that time—and did nothing. I know that Liberal Party members want to wash their hands of it, but that so-called free-enterprise party was in coalition when those deals were put together under Liberal Treasurers. Now Liberal Party members want to bleat about it.

The situation is that the Government is not going to make those decisions lightly. There is some merit in the argument of the Queensland Coal Association, namely, that the Government should consider reducing the rate at which the freight or the tax—whatever honourable members want to call it—escalates, that that should be done in exchange for expanded economic activity and that, hopefully, the same overall level of revenue will be able to be generated, based on a smaller take from a bigger cake. I am quite sympathetic to that argument.

However, as all honourable members should know, this is such a significant part of State revenues that the Government cannot and will not walk away from it unless and until it can see where the alternative source of funding is coming from. Unless the honourable member has the guts and the honesty to advocate new taxes or to nominate those services that he wants to be cut in exchange for the cut that he wants to be given to the coal companies, he is not worth listening to.

Siting of Warehouse Complex by United Transport Services at Rocklea

Mr PALASZCZUK: I refer the Deputy Premier to the proposed siting of a warehouse complex by United Transport Services at Rocklea. In view of the Government's commitment to consultation with the community, I ask: would he make available to the

community copies of a risk assessment report? Will the Minister meet with a delegation of local residents to discuss this proposal?

Mr BURNS: I thank the honourable member for Archerfield for the question. He has shown a keen interest in this matter.

An application was made to the Brisbane City Council for approval of a storage of toxic waste and other dangerous substances in a location that I believe is in the honourable member's electorate. One written objection was made, 271 or 291 signatures were placed on a petition in relation to the matter, and a number of public meetings were held.

When the council approved the application and the location of the depot, no objections were lodged with the Local Government Court by the objectors. However, when it reached my office for assessment, it was decided that, because of the concern that had been expressed in relation to the storage of dangerous goods and the problems that had been experienced as the result of leakages, spills from tankers and things of that nature, something should be done about it. My department authorised the undertaking of a risk assessment. $5,000 was spent on obtaining that assessment. The best advice available was obtained. As a result of that advice, about a week ago my department was told that there is no real risk to the area. That assessment was reached using every available criteria. The assessors believe that the project should go ahead.

I am told by the Brisbane City Council that, when it considers the proposal, it will take into consideration the recommendations that resulted from that risk assessment study. My department brought the matter to my attention. I thought at the time that as there has been so much worry and concern in the community—and the member for Archerfield expressed concern to me on a number of occasions—before I put the matter before the Governor in Council for approval, I ought to give people the opportunity to have that last seven days to consider it. They have had an opportunity to do so.

I think that tomorrow afternoon I am to meet a deputation of people who have been involved in the process. I am only too pleased to make the risk assessment study available to any of the people involved so that they can see it for themselves. I believe that we will be able to talk it through tomorrow afternoon. However, it is a decision of the Brisbane City Council; it is not a decision of the Government itself. It comes to the Governor in Council for approval, which is the usual procedure in regard to such applications.

The Government has taken a lot of time to investigate the proposal because last year a decision was made by the previous Government to introduce legislation regarding dangerous substances. Discussions and meetings were held between various departments. It was agreed that the Local Government Department should be responsible for that. Regulations governing flammable substances are also part and parcel of that whole process.

Last year, my department hired some consultants. Their reports have been received. A discussion paper will be released, and that is the best way to go about it. People will then be able to consider it. Regulations are needed in regard to this matter. The generation of chemicals, the storage of chemicals and the storage of flammable and combustible liquids will not go away. It is a problem that is going to grow as industry expands. The problem is one that the Government will have to face. An Act of Parliament will be needed and regulations will be needed. It has to be spelt out so that everybody knows where they stand.

I am only too pleased to meet with the deputation that has been organised by the honourable member. I congratulate him on the work that he has done on the matter.

Difficulties Experienced at Low Tide by Coastguard Vessels at Rosslyn Bay

Mr PALASZCZUK: I ask the Minister for Transport and Minister Assisting the Premier in Economic and Trade Development: is he aware that at low tide coastguard vessels at Rosslyn Bay in central Queensland are unable to clear the harbour to respond to emergency calls? What action, if any, has the Minister taken to rectify that situation?

Mr HAMILL: On Anzac Day, it was certainly drawn to my attention by the member for Broadsound, Jim Pearce, that, owing to siltation in the harbour, certain difficulties were experienced by the boating public in Rosslyn Bay. Recently, I had the opportunity to visit the area, to discuss the matter with officers of my department based in that area and to examine the problems that were causing great heartache to the boating community and to the local emergency services. It did present a severe safety problem to those using the harbour.

I am pleased to be able to report to the House that an immediate direction was issued for improvements to be made to the boat-ramp at Rosslyn Bay, because there is in fact a fairly extensive——

Mr Burns: Good mackerel fishing.

Mr HAMILL: The Deputy Premier is an expert on fishing matters. All honourable members are aware of that.

There is a significant tidal variation at that harbour. The existing boat-ramp is insufficient to cope with the problem.

I am also pleased to be able to report to the House that tenders have been called forthwith for dredging to take place at Rosslyn Bay. That work should be undertaken in the new financial year. I have indicated that to Jim Pearce, who has received a number of representations in that regard. I am pleased to report that those tenders will be finalised in the near future and that that work will be undertaken as a matter of urgency.

Olympic Video Gaming Pty Limited

Mr BORBIDGE: I direct a question to the Treasurer. In view of the information tabled by the Leader of the Opposition in respect of the poker machine manufacturer Olympic, and despite the Treasurer's disclaimer in respect of knowledge of that company, I ask: is this the same company listed by the Treasurer in his reply to my question on 27 March? If that is so, I ask: can the Treasurer assure the House that the company in question will be removed from further consideration by the Government in respect of the supply of poker machines in Queensland?

Mr De LACY: I do not know if it is the very same company. Let me assure the honourable member that no company will be granted anything at all by the Casino Control Division or this Government if allegations of the type outlined by the honourable member are hanging over its head. Each application will be properly perused. The public of Queensland can be absolutely certain that the way in which poker machines are introduced in Queensland will be above board. No organised crime will be involved.

Mr Borbidge: They're on your short list, and the managing director has got connections.

Mr De LACY: That is the honourable member's story.

Mr Borbidge: It's there on the table.

Mr De LACY: Our Government has not granted them anything.

Mr Borbidge: They're on your short list.

Mr De LACY: I am saying that nobody will be granted anything unless it is all above board.

Mr Borbidge: They got on your short list.

Mr De LACY: What does a short list have to do with the matter? I do not know what the honourable member means by a "short list".

Mr Borbidge: You don't know what your own department's doing.

Mr De LACY: Expressions of interest are being received. That company may well be on the list of people who have submitted expressions of interest.

No short list exists. The Government has not decided who will be granted any of the contracts. Even though Opposition members would like the Government to give a contract to somebody with those sorts of connections, I assure the House and the people of Queensland that my Government will introduce poker machines in the proper manner.

Cape York-North Queensland Enterprise Zone

Mr BORBIDGE: In directing a question to the Minister for Manufacturing and Commerce, I refer to conflicting statements made by Government Ministers about the future of the Cape York-North Queensland Enterprise Zone. In particular, I refer to a report that appeared in the *Courier-Mail* on 9 March titled "Bigger business zone supported", which quoted the Minister. I refer also to a report that appeared in the *Australian* of 14 May titled "Enterprise zone faces abolition", indicating that the Minister would now be recommending to Cabinet the winding-up of the zone. Comments attributed to the Premier and the Treasurer are clearly in conflict with the Minister and a statement issued by the member for Mount Isa in support of the Minister's earlier suggestion that the boundaries of the zone should be extended.

I ask: which Government spokesman is reflecting the policy of the Government and what is the policy of the Government?

Mr SMITH: I answered that question last week. However, I will take it a little further. A detailed review of the enterprise zone legislation was undertaken and is now complete. The Government has perused the recommendations and is considering all the options in relation to the effect of marketing and the economic opportunities in north Queensland and elsewhere throughout the State.

The Cape York-North Queensland Enterprise Zone Board will continue to function in its present mode until the Government decides whether or not any more effective or efficient methods exist to deliver those services. As the honourable member would be aware, the board is funded until 30 June and will have adequate time in which to consider all the options. When Cabinet makes the decision, it will be the correct one for Queensland. Therefore, the honourable member can lower his level of anxiety.

Use of Insecticides in Home-building

Mr HEATH: I ask the Deputy Premier and Minister for Housing and Local Government: is he aware of concerns that have been expressed about the types of insecticides that are being used by builders who are ordered to treat soil against termites? Has the Minister investigated the possible environmental and health risks? Can he advise the House of actions taken on this important issue?

Mr BURNS: The honourable member has already raised this matter of concern with me. When local authorities believe that a problem exists with subterranean termites, they are required to demand that a builder or owner/builder who is constructing a house has that area sprayed or physical barriers installed to stop termites. Many people in the industry are concerned about the health risks and the after-effects of spraying those insecticides. Environmental concerns have also been expressed about organochlorines.

I am assured by my department that, if those insecticides are used properly by licensed operators in accordance with the Australian standards, they are safe. However, that does not seem to satisfy a large number of people. As a result, meetings on this issue have been held among my department, the Department of Health, the Department of Primary Industries and the Department of Land Management, and a decision has been made to issue a building note to the building industry and local authorities in relation to this matter.

Mr FitzGerald: The chemical is mainly dieldrin, isn't it?

Mr BURNS: The chemical that is now being used is an organophosphate. I cannot pronounce its name, so I will provide the honourable member later with that information.

I am told that the chemical does not have the life of organochlorines. Therefore, local authorities require a guarantee that people will accept responsibility for termite protection.

Very serious concerns have been expressed about this in the community. The honourable member for Nundah has raised the issue with me on a number of occasions. People do not want to use the chemicals that the local authorities demand be used. People who believe that the insecticides will affect their health do not want to spray them into the foundations of their homes.

This is a serious matter. As a result, this month the Government will issue that building note and hopes that further progress will be made. The new organophosphate chemical that has been approved by the Minister for Primary Industries does not have the same life as the organochlorines. In some cases in the future, people may have to drill the foundations of their homes and respray.

Queensland has a subterranean termite problem which cannot be easily addressed. However, I assure the honourable member for Nundah that my department and those other departments have been considering the issue quite closely. That building note will assure those people within the industry and in local authorities that they can use that other substance or utilise the more expensive method of installing physical barriers that are part of the second Australian standard in that regard.

Reform of Queensland Business Regulations

Mr HEATH: I ask the Minister for Manufacturing and Commerce: will he inform the House of Government actions directed at the long-needed reform of business regulations in Queensland?

Mr SMITH: I would like to respond to that question from the member for Nundah, who has had some considerable business experience, by saying that, for 30 years, the previous Government did nothing about reducing the complexity of business regulations. In other words, its rhetoric did not match its performance.

This Government has taken this matter on board. The Government not only has said that it would reduce the complexity of business regulations but has put forward the process of bringing it about. It has been approved by Cabinet. In fact, it has been funded. The Government has had a number of consultations with organisations such as the Queensland Confederation of Industry and other interested parties.

I should say also that it is not before time that Queensland has taken action in this regard. All the other States of the Commonwealth have a similar unit in place. I am very pleased to tell the honourable member that the process is well under way. I expect that within three to four months the unit will be operational.

Former Senator John Black

Mr VEIVERS: I ask the Premier: will he be bowing to pressure from sections of his party to find a job for the defeated senator, John Black, or will Mr Black have to rely on the Prime Minister for a job? A simple "Yes" or "No" will suffice.

Mr W. K. GOSS: As the honourable member well knows, I cannot speak for the Prime Minister. In relation to Mr Black—I am not aware that he has made any approach to the Government.

Mr Borbidge: You haven't appointed him?

Mr W. K. GOSS: No. As far as I am aware, he has not been appointed to any position. If the honourable member has any startling new information to put before me, I ask him to do so and I will be happy to comment on it. The former senator has a

range of talents which, I can assure the honourable member, are well known on this side of the House. As the honourable member for Southport is very enthusiastic about and well versed in the field of sport, he would be well aware
of——

Mr Veivers: I wasn't a steroid-user, either.

Mr SPEAKER: Order! I have been amused enough during question-time.

Mr W. K. GOSS: I accept the honourable member's denial and extend my sympathy.

An Opposition member interjected.

Mr SPEAKER: Order! The member for Cunningham will not make those comments again.

Opposition members interjected.

Mr SPEAKER: Order! An unparliamentary comment was made. I do not like to hear that sort of a comment.

Mr ELLIOTT: I rise to a point of order. I made no comment whatsoever.

Implementation of Tourism Tax by Gold Coast City Council

Mr VEIVERS: I ask the Minister for Housing and Local Government: bearing in mind the predicament of the tourist industry on the Gold Coast owing to the airline pilots dispute, is the new tourism tax on business, to be implemented by the Gold Coast City Council at the request of the Goss Government, the latest in buck-passing by the Minister? Will he not agree that this is now the tip of the iceberg and that councils and shires all over the State have the right to implement any tax they see fit? Is this the start of the Goss Government's Claytons tax scheme—the tax you have when you are not really having a tax?

Mr BURNS: I thank the honourable member for the question. Firstly, I am concerned by his comment about the tip of the iceberg on the Gold Coast. I am sure that the tourist operators down there will be keen to hear of his iceberg operations down there.

Because I expected to be asked a question about this matter by an Opposition member, I brought with me this letter from the Gold Coast City Council, which states—

> "For some two years now Council has been frustrated in attempts to use the provisions of Section 21 (11)—Differential Rating under the Local Government Act to deal with various inequities . . ."

The council wrote to me and I did nothing about it. On 11 April, it then wrote to my department. In that letter it cited the council's problems and made a demand that it be entitled to——

Mr Veivers: Demanded?

Mr BURNS: Yes, demanded. The council made threats by saying that its budget was coming up in a hurry and that it needed to levy this tax. As I told the honourable member yesterday, and as I told everybody on the coast yesterday through the media, it was the council that made the request. The council wanted this tax. For the Gold Coast City Council to be making this demand at a time when the tourist industry is on its knees is shameful. But the council wants to do it. We on this side of the House believe that all of the councils that are making requests to determine a new way of levying rates and charges should be given the opportunity to do so. If the honourable member believes in
autonomy——

Mr Veivers: They are starving for tourist dollars.

Mr BURNS: What "Mr Iceberg" should do is go back down to his tory mates on the Gold Coast City Council, the people whom his party put into the council—Mayor Bell, Russ Hinze, all those people——

Mr Veivers interjected.

Mr SPEAKER: Order! The member for Southport will cease interjecting. I now warn him.

Mr BURNS: The honourable member should go back down to his own council, which has been campaigning in the newspaper for this tax. Not one word has been heard from the honourable member for Southport——

Mr Veivers interjected.

Mr SPEAKER: Order! I warn the honourable member for Southport under Standing Order 123A.

Mr BURNS: Not one word was heard from the member for Southport during the whole of the campaign that the council was running in the newspapers, in which it argued that it wanted to levy this tax. The honourable member never once wrote to my Government; never once wrote to my department; never once did anything about it.

Mr Veivers interjected.

Mr SPEAKER: Order! I warn the honourable member again, and for the last time, under Standing Order 123A—and I mean it.

Mr BURNS: Do not kick him out. I make a special plea, Mr Speaker: do not kick him out. Please, do not kick him out. I want to keep him in here. I make a special plea: please, leave him here. How would a circus run without a clown?

The situation very clearly is——

Mr BORBIDGE: I rise to a point of order.

Government members interjected.

Mr SPEAKER: Order!

Mr BORBIDGE: Mr Speaker, you have placed the honourable member for Southport in a position where, effectively, he cannot take a point of order.

Mr SPEAKER: Order! Of course he can take a point of order.

Mr BORBIDGE: And now he is being subjected to abuse by the Deputy Premier——

Mr SPEAKER: Order! There is no point of order. The Deputy Leader of the Opposition will resume his seat. I am on my feet. There is no point of order. The honourable member for Southport can take a point of order at any time he likes.

Mr Veivers interjected.

Mr SPEAKER: Order!

Mr Veivers interjected.

Mr BURNS: Does the honourable member want his answer?

Returning to the letter from the Gold Coast City Council, the change to the rating system that I will make in the legislation, after my department has gone through the material, will allow all local authorities in Queensland to levy rates and charges at whatever level they determine.

What this Government has said all the way along the line, and it was part of the Labor Party's policy speech for the last election, is that local authorities have the

autonomy to make their own decisions, and they will have to live with those decisions in the market place. I am certain that the Gold Coast City Council will decide not to go ahead with that decision, because it has already run into the flak about which I warned it beforehand. Because it is running into the flak now, it is not going to blame this Government. If it wants to levy a tax down there it must stand in the market place, just the same as Sallyanne Atkinson, who wants to introduce a $5 per quarter environmental levy on every house in Brisbane. If she wants to do that, she can do so, but she must stand in the market place. The same rationale applies to the subject of differential rating. If councils want to introduce minimum rates and differential rates, then they impose them and they stand at the next election——

Mr VEIVERS: I rise to a point of order. I am not talking about the Brisbane City Council or Sallyanne Atkinson, I am talking about the Gold Coast City Council. Cannot the Minister revert and answer the question?

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

Mr Gibbs: Sit down, you big sook.

Mr VEIVERS: I rise to a point of order. The only time that the Minister for Tourism will attack the shadow Minister for Tourism is when I am on my third warning under 123A. He has not had the guts to go outside and attack me; now he has gone——

Mr SPEAKER: Order! What is the honourable member's point of order?

Mr VEIVERS: That was my point of order.

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

Mr BURNS: I think Mr Speaker should pat the honourable member on the back and change his nappy.

The Government proposes to amend section 21 (4) of the Local Government Act to allow all local authorities, not specifically the Gold Coast City Council, to levy separate rates or charges on such basis or bases as the local authority determines. No legislation for a tourist tax will be introduced to this House. That will be a matter for individual councils to determine.

Reduction in Bus Services, Brisbane Area

Mr WELFORD: I ask the Minister for Transport: is he aware of recent decisions by the Brisbane City Council to drastically reduce bus services throughout the Brisbane area, and could he explain how the South East Queensland Passenger Transport Study will deal with those problems?

Mr HAMILL: I thank the honourable member for his question, because it is timely that I make a report to this House on the progress of the South East Queensland Passenger Transport Study.

Some weeks ago in a ministerial statement I said that the work of the passenger transport study had commenced with a number of community consultations in the south-eastern suburbs of the City of Brisbane and out into the Logan City area. Considerable concern has been expressed by residents of the Stafford area, and the honourable member for Stafford has been very prominent in mobilising public opinion in response to the needs of his constituents with respect to the cut-backs of bus services by the Brisbane City Council in that area. I compliment the member on his concern for the passenger transport needs of his constituents.

The South East Queensland Passenger Study is looking for the involvement of all local authorities in south-east Queensland in order to address the passenger transport needs of the region. The study is well advanced. A number of small community consultative studies have already begun.

In a few weeks, I anticipate that I will be in a position to report in detail some of the findings and recommendations of the study to date. Further consultations with local authorities and transport operators will occur to ensure that the best possible outcome is achieved for the people of south-east Queensland.

However, the Government is concerned that the Brisbane City Council seems to be hell-bent on pursuing a policy of addressing its transport needs in terms of massive engineering projects, new bridges across the river and extensive freeway development. The Stafford area is not the only area concerned about this policy. I have received representations from other members, including the Minister for Administrative Services, whose community at Hawthorn is most concerned about a bridge that the Brisbane City Council is hell-bent on building.

Again, I say that the Brisbane City Council's traffic study is a very inappropriate document from which to address the transportation needs of south-east Queensland. I suggest to the Brisbane City Council that it should hold back and await some detailed reports from the Government's regional study, in which the Brisbane City Council is pleased to participate. I trust that there will be some very desirable outcomes that will enhance the provision of passenger transport in areas such as East Brisbane and Stafford and, indeed, throughout the area of south-east Queensland.

Comments by Mr L. Merlehan, TAB Sports Betting

Mr WELFORD: I ask the Minister for Tourism, Sport and Racing: In view of his announcement that the Government has approved betting on sports events, is the he aware of comments in the *Sun* newspaper yesterday by a Mr Lloyd Merlehan saying that that move "would not save battling bookies from 'going to the wall'?"

Mr GIBBS: I am aware of the comment made by Mr Merlehan yesterday. I simply say that if his knowledge of running his book is as good as his comments yesterday, little wonder that he is a battling book-maker. I noted his comments with great interest.

Anybody who has a knowledge of the TAB would be aware that one cannot set a market on the TAB in the same way that an on-course book-maker can for the simple reason that one does not know what the size of the operating pool on any given day is going to be. The odds are finally framed on the central pool and the pay out made on that basis.

In relation to the other section of the proposal that was approved by Cabinet—that is, to allow sports betting by book-makers on course—I emphasise the point that whatever odds the book-maker wants to give on course will be entirely up to him. I again note with interest the fact that Mr Merlehan mentioned that if he had, for example, given Queensland a six-point start in the first State of Origin game, he would have been deluged with bets I have no doubt that a deluge of bets would have occurred. If that man was stupid enough to frame his market with a six-point start, that would have been his problem. However, I emphasise again the point that it will be entirely up to individual book-makers to frame the field as they see the odds applicable on the day or during the week or during the year, for example, if they want to frame a market at the beginning of the Rugby League season to give odds on their forecast for the Sydney grand final. It is entirely up to the book-maker to punt on a basis that he believes will be rewarding for him. I must say that I have already had conveyed to me from the QBA the sentiments that, certainly, Mr Merlehan's comments yesterday do not reflect—and I emphasise "do not reflect"—the overall feelings of the book-making fraternity.

Mr SPEAKER: Order! The time for questions on notice and without notice has expired.

PERSONAL EXPLANATION

Hon. R. C. KATTER (Flinders) (3.46 p.m.), by leave: I refer to a statement made by the Minister for Family Services and Aboriginal and Islander Affairs as a result of a request from myself for some poor black people and white people in Charters Towers

to build their own homes. We were unable to secure, from the Government, money with which to provide them with homes and the only way we could procure homes for them was to provide them with the ability to procure their homes themselves.

As a result of that, I rang the department and asked whether it would be possible, if they were not using the brick moulds, to provide them and make them available for people in Charters Towers. I rang back about seven times and it was obvious to me that the brick moulds had been lost and could not be procured or that the department was refusing to make them available to those people in Charters Towers. Far from being a matter of public humour, I would have thought that, on the Minister's own admission, the loss of between $5,000 and $10,000 worth of software and hardware would be a matter——

Mr SPEAKER: Order! The honourable member is not allowed to debate the issue; he is only allowed to show where he has been personally misrepresented or personally affected by the Minister's statement. He is not allowed to debate it. If he does try to debate it, I will sit him down.

Mr KATTER: Let me clearly establish, Mr Speaker, that it has been claimed that the bricks were rubbish in design and that they could not work. That was the allegation made by the Minister. I wish to be able to point out, and I think it is my right to point out in this place, that they certainly were not. It is said that it was my brick design. It was anything but my brick design, and I wish to read out things that clearly indicate those facts to the House.

The reason we attempted to secure bricks that fitted together like a Meccano set was to enable people to help themselves. We were trying to develop self-reliance. That is the reason why there was an attempt to make these bricks. There was a desperate housing shortage in all of the Aboriginal communities. We were able to move from 40 employees to 196 employees. Now, we could go one stage further if we could provide bricks that would enable people to build houses for themselves. That was the reason we made very strenuous endeavours to build those houses. Far from being a harebrained scheme, it was a design from a block-maker who had worked with people of Aboriginal descent.

Mr SPEAKER: Order! I warn the honourable member for Flinders that he is debating the issue. He must keep to how he was misrepresented by the ministerial statement. He is not to debate this issue. If he does, I warn him that I will sit him down.

Mr KATTER: Mr Speaker, there can be no clearer way of pointing out where I was misrepresented. It was stated that the brick was a design of mine or of people who knew nothing about brick-making. I am about to give the credentials of the people who designed the brick. Surely that is relevant to the allegation that we utilised people who knew nothing about brick-making.

Mr Nigel Rose is a professional maker of moulds for bricks. That is what he does. He makes them on the Gold Coast, which is the premier building position in Australia. This is the man who, we were told, was the leader in his profession and who was available to us in Australia. Mr Topalov had been a brick-maker in the Northern Territory and worked with people of Aboriginal descent. Obviously, he is a person skilled in that area. That is what I am trying to say today—that we were dealing with very reputable people.

The Minister referred to my being a very clever person and very able in many areas, but brick-making is not one of my skills. I am forced to admit that. In all honesty and humility, I am forced to admit that to the House. I have to admit that I am not a skilled brick-maker. However, Mr Apps is again——

Ms WARNER: I rise to a point of order. If the honourable member wishes to debate this issue, could he please answer the question why he wanted to patent the bricks?

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

Mr KATTER: Mr Speaker, specific allegations have been made and I have every right in this House to answer those specific allegations—and I am determined to go to the Privileges Committee if I am not allowed to. Mr Speaker, I am pleased that, although you listened to the Minister's point of order, you did not uphold it.

Mr Apps was a professional brick-maker. He makes bricks in Hughenden and sells bricks there. He is a professional, commercial person working in that area.

Mr SPEAKER: Order! I am being very tolerant with the member. He has spent three minutes talking about the competence of brick-makers. He can make the point that they are competent brick-makers but I will not allow him to debate that point. We do not have all day to listen to him debating that issue.

Mr KATTER: Mr Speaker, I am certainly not debating it. I pointed out those three things and I will most certainly move on.

The second allegation that was made was that somehow I was involved in some method of making a personal profit and that we had obtained advice from the Justice Department. What in fact occurred was that we did not want the patents to fall into the hands of any brick-making companies after we had expended public money. Once they obtained the patent, no-one else would be able to access the bricks except by paying money to them. I strongly advised Mr Apps to apply for a patent. For the sake of simplicity and quickness, I put my own name on it and had it registered——

Government members interjected.

Mr KATTER: Let me finish, Mr Speaker, because this is all fully documented.

I then wrote a note signing it over to Mr Apps, so that I had no interest in it whatsoever. We registered a patent straight away so that there would not be a delay in the letter reaching Mr Apps, who in fact lives outside Prairie. We bought ourselves a week, which may be a scoffing matter for Government members, but when I held that portfolio a week was a hell of a long time. We had many miles to travel and we wanted to travel them as fast as possible.

The allegation has been made that Mr Apps was profiting by it. Mr Apps is one of the finest human beings that I have ever had the pleasure of knowing. He insisted that he would not take a single cent whatsoever for the design of the brick. In any event, we did not use that particular design; we used the one designed by Mr Topalov and Nigel Rose. Fourthly, the allegation was that they would fall over.

Mr Welford: At 3 foot high, it would fall over.

Mr KATTER: I will take the interjection from the fair-headed noise-maker over there.

Mr SPEAKER: I suggest that the member for Flinders does not take the interjection.

Mr KATTER: The honourable member said that, at 3 foot high, it would fall over. This is very serious, because if it fell over it could kill or injure somebody. It would be extremely irresponsible to use a brick that would fall over at a height of 3 feet.

The Minister left out one minor point. We were using a glue which was produced by 3M in the United States and which is used to attach huge pieces of marble to the exterior of 10, 13 or even 20-storey buildings. Our technical advice from experts in the field of adhesives was that the brick would in fact break before the glue would. This is very important.

Government members interjected.

Mr KATTER: This may be a laughing matter for Government members, but for poor people who cannot afford to build their own houses in Queensland it is a very

serious matter. As a result, cyclone rods could be removed from the design, and that would mean a saving of $1,000 or $2,000 per house.

I will answer each of the Minister's allegations in turn. However, another two serious allegations need to be answered in this place. The first allegation relates to ultralights. Mr Speaker, I do not think anyone would have taken that matter seriously for one moment. However, we need aircraft that are called short take-off aeroplanes, not ultralights. That may mean ultralights to the Minister, but it does not mean that to me. During the wet season in the Torres Strait islands, ordinary sized aircraft cannot use the short landing strips. People will simply die unless some way is found to evacuate them from the islands. We looked at these alternatives because the Federal Government removed a helicopter from Thursday Island.

Finally, on the issue of the coconuts——

Mr SPEAKER: Order! My patience is wearing thin.

Mr KATTER: I must make the point that it has been alleged in this place that we wasted Government time and effort——

Mr Hamill: How does this relate to the coconuts?

Mr SPEAKER: Order! The Minister for Transport will cease interjecting.

Mr KATTER: It has been alleged that we wasted Government time and effort in exploring the use of coconuts. I am advised on very good authority that two commercial operators, Carpenter and Co. and Kempthorne and Associates, have both imported coconuts into Queensland for that purpose. I am happy to table in the House three reports for carbon and pulp-processing of gold. It was ridiculous to consider bringing gold in to that place.

Mr SPEAKER: Order! I have been tolerant enough. The honourable member has made his point. I ask the Clerk to read the next order.

Mr KATTER: Mr Speaker, once again we have not been able to properly answer——

Mr SPEAKER: Order! The honourable member has had a fair go. I ask the Clerk to read the next order.

MR SPEAKER'S RULING

Motion of Dissent

Mr LINGARD (Fassifern) (3.57 p.m.): I move—

> "That the ruling given by Mr Speaker on Wednesday, May 9, concerning the order in which Questions are asked during Question time, be dissented from."

I am pleased that you, Mr Speaker, will remain in the Chamber and listen to our thoughts as to why this motion of dissent was moved last Wednesday. Last week, I moved that the House consider a motion that the matter of the order of questions by the Opposition be referred to the Privileges Committee. *Hansard* shows that the Speaker ruled that I was not allowed to do that because he had already made a ruling about the order of questions by the Opposition.

As the mover of the motion of dissent, I intend to prove that, under Standing Orders 46 and 115 and the March 1979 report of the Privileges Committee, a member is allowed to move such a motion in the House, even when the Speaker has made such a ruling. I will show that any question of privileges must be decided by the House. I will show that, firstly, the Speaker does not have the final say on privileges; secondly, the Select Committee of Privileges does not have the final say; and, thirdly, privileges of the House are decided by the members themselves. They are the reasons for my moving this dissent motion. I will repeat those three factors. The Speaker cannot make

a ruling on a point of privilege. He does not have the final say. The Privileges Committee does not have the final say. We, as members of this House, must be the ones who finally approve or disapprove of any resolution which is brought back to this House. If the matter is referred to the Privileges Committee and the Privileges Committee refers it back to us, it must still go through this House as a final resolution. A Speaker is not allowed to make a ruling on a point of privilege. The only thing that he can do is make a ruling that it can be referred to the Privileges Committee or, if he is not prepared to do that, then he puts it to a resolution of the House. In this case the Speaker has been determined to say, "I have made a ruling and you are not allowed to rise in this House and move a motion putting it to a resolution of the House."

I turn now to examine the whole history of how members must conduct their own business in Parliament. In 1642 Charles I went into the House of Commons and tried to say to Speaker Lenthal, "I want these six men." Speaker Lenthal replied, "I have neither the ears to hear nor the mouth to speak other than this House directs me." He told Charles I that he could not do it. Even you, Mr Speaker, in your rulings this year, have said that you are a servant of this House. If you are a servant of the House, then you must agree with whatever the House decides. You cannot tell the House what to do unless you are prepared to have the House decide and approve or disapprove your ruling.

There has been a great deal of discussion about the separation of powers. No outside body can tell parliamentarians what to do. We are the legislators, and we are the ones who make the rules. We will not be imposed upon by people outside this Parliament. During the debate on the Drugs Misuse Act Amendment Bill, reference was made to the fact that parliamentarians cannot tell judges what to do, but must consider the independence of the judges' position. We are the legislators, and we are the ones who make the final decisions.

It was not as long as 12 months ago that history was made in the seat next to mine. At that time, a Speaker tried to do exactly what the present Speaker is trying to do now. At that time, the honourable member for Lytton wrote to the Speaker and referred to a matter of privilege. He said that a member had misled the House. The Honourable the Speaker decided to follow his own personal philosophy in deciding what should occur. The Speaker was not allowed to refer the matter to the Privileges Committee until the matter had been referred to the House.

All honourable members know what happened nearly 12 months ago. The Speaker at that time referred the question to the House for determination. The House refused to refer the matter to the Privileges Committee and, simply because he had tried to enforce his own ruling, the Speaker had to resign. In his own mind, he had thought that the matter was definitely a matter of privilege, but he could not decide such matters. When the matter was referred to the House, the House rejected the motion and on that occasion the Speaker was forced to resign. The issue that is being discussed now is exactly the same type of issue as the one that was before the House 12 months ago.

Honourable members—especially members of the Government—have been allowing the present Speaker to change the practices of the House. It might be amusing for Government members to see me tossed out of the House under Standing Order 123A after I have taken a second point of order; however, the incident represented a change in the practice of this House. Mr Speaker is not allowed to take that action unless it has been approved by the House. If Mr Speaker gets away with doing that, that is okay; in fact, he had been getting away with it. Recently, however, Mr Speaker threatened members of the Opposition under Standing Order 124, which provides that members are supposed to be named before they are tossed out of the House.

Mr SPEAKER: Order! While I am on my feet, the member will resume his seat. I wish to inform honourable members that while this debate is under way, the matter to be discussed is question-time and the order in which questions are to be asked. Members are not to discuss Standing Order 124 or any other Standing Order, and I will not allow debate on that subject.

An Opposition Member: Caesar judging Caesar!

Mr LINGARD: I leave honourable members to decide what is happening in this House.

When I rose to move a motion, Mr Speaker told me that I was not allowed to put the motion to the House. I immediately moved a motion of dissent from Mr Speaker's ruling. I do not at this stage wish to refer to the history of the practice of asking a second question, which has been referred to by Mr Speaker, because the Deputy Leader of the Opposition will outline that practice in more detail after I have spoken. Instead, I will to refer to the matter that gave rise to this motion of dissent.

I ask all honourable members to refer to the printed material that I have had circulated. I will briefly analyse it. The last statement on privilege made by a Speaker was one made in 1987. At that time, the Speaker said—

> "I would like to remind the House that the term 'Privilege' . . . when talked about in the Parliamentary sense . . . covers two (2) broad areas."

To save time, I simply mention that the next paragraph refers to matters such as Standing Orders. The paragraph that begins "Secondly" refers to the manner in which questions may be answered. If members of Parliament believe that they are not getting a fair go in this House, under the provisions of Standing Order 115, they are permitted to rise and state that they wish to mention a matter of privilege. They are allowed to do so immediately because it is a right given to parliamentarians if they feel that they are not receiving a fair go or are not being allowed to represent their electorates properly.

I ask honourable members to look closely at the next paragraph, which states—

> "The Select Select Committee of Privileges which is set up in this House is empowered to meet, determine and discuss . . . "

The last paragraph states as follows—

> "However, it is a fact that neither The Speaker nor the Committee can decide on such matters. In the final analysis, the whole House alone is competent to do that . . . and it has to decide by resolution . . . that some breach of Privilege has been committed."

I will quickly refer to the next paragraph. In 1979, the Select Committee of Privileges met and referred a matter to the House for determination. The referral was accepted. The printed material I have circulated refers to Standing Order 115, and I ask honourable members to read that closely because I do not have the time to canvass those matters. The paragraph also refers to Standing Order 46 and states that a member can write to the Speaker, which is what happened on the most recent occasion. I took a letter to Mr Speaker.

The printed material also states that the Speaker may confer with the Chairman of the Select Committee of Privileges and discuss whether or not the matter should be referred to that special committee. However, the Speaker then should refer the matter back to the House. If he decides not to do so, I refer honourable members to subparagraph (ii), which states that the Speaker must inform the House—

> "(ii) that he does not intend to refer the matter to the Committee."

Mr Speaker wrote to the Opposition and said that he would determine the matter in four weeks' time. He subsequently spoke to the Deputy Leader of the Opposition and said, "No, it's not on." Mr Speaker then came into this Parliament and gave the call to the former Leader of the Liberal Party.

The important point is outlined in paragraph (d) of the material that I have circulated. It states—

> "if it is (ii), the Member has the right to move in the House that a matter be referred to the Committee."

That is exactly what I did. In exactly the same style as honourable members saw a short time ago, I was told that I could not do that.

I refer honourable members to the last paragraph, which states—

> "It can be seen therefore that the Speaker does not rule on the matter in any way other than to suggest that the matter be referred to the Committee . . . or . . . that he does not intend to refer the matter to the Committee."

In the short time that remains available to me, I point out to honourable members that they are the ones who make the rules of this Parliament. No Speaker, no Premier and no select committee can tell parliamentarians what to do. Any committee—whether it is EARC, CJC, PAC or PWC—must refer to this House for approval. If the House refuses approval, the matter will not proceed. No Speaker, no Premier and no select committee can tell members of this Parliament what they should do. The House selects its own path; but I was not given the right to put a motion before the House to ask honourable members whether or not the matter should be referred to the Select Committee of Privileges.

Mr BORBIDGE (Surfers Paradise—Deputy Leader of the Opposition) (4.07 p.m.): Mr Speaker, it is with some regret that the Opposition has moved a motion of dissent from your ruling. It is not being done lightly. Members of the Opposition tried to avoid moving the motion that is before the House today. Basically, the Opposition's action stems from the frustration felt by Opposition members who have been denied adequate opportunities at question-time, despite assurances having been given by you and by the Leader of the House that the Queensland Parliament was embarking upon a new era.

At the outset, I must emphasise that the Opposition merely sought—as the member for Fassifern has said—to have the matter of the order in which questions may be asked referred to the Select Committee of Privileges. Members of the Opposition took the view that their rights as the Opposition of this Parliament had been tampered with, without the courtesy or the decency of consultation, in a manner that the Labor Party in Opposition would never have tolerated.

That unfair and blatant breach of the recent practices of this House is, unfortunately, at the heart of the reason why relations between the Opposition and the Chair have been strained.

We do not seek confrontation, but we cannot be expected to have our rights in this Parliament eroded by unilateral decree. Indeed, the handling of this matter has, more than any other single issue, placed almost irreparable strains on relations between the Opposition and Mr Speaker.

The Government cannot have it both ways. The Labor Party in Government cannot fail to recognise the Liberals as an official party within the Parliament and then give them the call at question-time ahead of the official Opposition. It is wrong that this matter cannot be referred to the Privileges Committee.

The position of Deputy Leader of the Opposition is recognised within this Parliament. Today, the credibility of the Government is on the line. The new era of parliamentary reform that was supposed to accompany the election of a Labor Government has not eventuated.

Those members on the opposite side of this Chamber today—the Deputy Premier foremost amongst them—should be hanging their heads in shame. They—along with many so-called political commentators who peddled their stories—must now come to grips with a substantial credibility problem. The so-called new found parliamentary democracy somehow got lost between the election tally room and the opening of Parliament.

To support my argument, I will return to the opening day of the Forty-fifth Parliament on 17 February 1987. I remind honourable members opposite of some of the comments that the Deputy Premier—the Deputy Leader of the Opposition at that time, that so-called champion of parliamentary reform-made on that day during the debate on the

election of the Speaker. At that time, the present Deputy Premier put forward a number of challenges to the new Speaker, Mr Lingard. He stated—

> "Because of an outdated approach to question-time, the deliberate prevention of Opposition front-benchers from being allowed to debate ministerial statements and the failure to debate urgency motions raised by the Opposition . . . That attitude has turned question-time . . . into a farce."

He stated further—

> ". . . challenge to the new Speaker is to make question-time a fair dinkum question-time . . . The people of Queensland would be aghast at the way question-time is conducted. . ."

Then the Deputy Premier started to talk about Dorothy Dix questions. He stated—

> "The increasing use of Dorothy Dix questions is being orchestrated by the ministerial propaganda machine in an endeavour to turn Parliament into a PR stomping ground for the Premier and his Ministers."

The point that I am making is that, if today the Government does not support the motion of the member for Fassifern, its members stand condemned as massive hypocrites.

A number of people somehow believed that the Deputy Premier was in fact correct. They used to see him on TV, they read about it, and Coaldrake told them about it—that it was bad, that those nasty Nationals that ran the Parliament would not let Tommy ask a question.

Mr Speaker, you now know that that was not true, and that things in the Forty-sixth Parliament are far worse for the opposition parties; hence the motion of dissent. It is a denial to the National Party Opposition of a practice—a convention that the Labor Party rightfully took for granted—and a refusal of Mr Speaker to allow the matter to be considered by the House or by an appropriate committee. For the benefit of honourable members opposite, I point out that it was a practice that was followed by Speakers Warner, Lingard, Powell, and Lingard again; a practice and a convention in this Parliament that has been honoured by all recent Speakers; a practice denied to the Opposition in 1990, thereby ensuring that the Deputy Leader of the Opposition gets the call after the Government Whip's Dorothy Dixers and after the Deputy Government Whip's Dorothy Dixers, and after the leader of a party—I am not criticising the Liberal Party; I am merely making a point—that, by the Government's own rules, has no official status in this place.

More about grievances can be tracked back to question-time in the opening session of the Forty-fifth Parliament in 1987. I will compare it with question-time in the first four-week sitting of the First Session of the Forty-sixth Parliament. I will compare the National Party Government's record with that of the Labor Party Government.

In the First Session—the first four sitting weeks—of the Forty-fifth Parliament when the National Party was in Government, the Labor Opposition asked a total of 118 questions, made up of 48 questions without notice and 70 questions on notice. In the First Session of the Forty-sixth Parliament when the Labor Party had the numbers, the National Party Opposition asked a total of 65 questions.

Opposition members: Shame!

Mr BORBIDGE: Shame! It is a disgrace.

Those 65 questions were made up of 56 questions without notice and nine questions on notice. That is 65 questions compared with 118 from the champions of parliamentary reform who sit opposite. What a record for Government members! They should hang their heads in shame.

What have the Premier, the Deputy Premier and the Leader of the House to say about that? The Leader of the House is on record in *Hansard* as having said, "You had just better get used to it." The Deputy Premier—the same person who, three years ago

as Deputy Leader of the Opposition, was championing the Opposition's cause—said, "You will have to put up with it for the next 32 years as well."

With respect to you, Mr Speaker, the running of the Parliament—I direct this criticism at the Government—is a complete and disorganised shambles. We cannot find out sitting dates, we cannot find out the order of business and we cannot ask questions.

Political embarrassments serving in the Ministry have been able to escape scrutiny from the Opposition during question-time as a direct result of Mr Speaker's ruling, which not only prejudices the role of the Deputy Leader of the Opposition but effectively denies to the Opposition a slot in a limited and ineffective question-time. Instead of the traditional order of questions, honourable members have seen Dorothy Dixers refined to an art form. A Government backbencher even asked a Minister to give a weather forecast for far-north Queensland.

Today is the acid test of this Government's alleged commitment to the Parliament. The Opposition has merely asked for the same convention to be applied to the National Party in Opposition in respect of question-time as the Labor Party in Opposition enjoyed; nothing more, nothing less. The Opposition sought to negotiate its position in an attempt to avoid today's motion of dissent. The Deputy Premier said that he would fix it. When the matter had not been resolved, the Opposition then sought—in accordance with the convention referred by the member for Fassifern—to have the matter determined elsewhere. That avenue was again denied to the Opposition. In my view, an alarming precedent has been set by Mr Speaker that will haunt him and this Government in the times ahead.

The failure of the Government to follow the practice that it suggested when in Opposition gives the lie to the commitment of this Government to treat the House fairly.

By every reasonable assessment, Mr Speaker, your ruling was both unfair and incorrect.

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (4.17 p.m.): I am pleased to join the debate on the motion moved by the member for Fassifern.

It was interesting to hear the member for Surfers Paradise talk about convention and fairness. The convention to which he referred, of course, is a practice that was formulated after the 1986 election, a practice that was formulated probably more out of hatred for the Liberal Party than out of——

Mr Borbidge: 1983.

Mr MACKENROTH: Yes, after the 1983 election.

As I was saying, the practice was formulated more out of hatred for the Liberal Party than out of fairness to the Opposition. That is really what honourable members are talking about. The fact is that the member for Surfers Paradise talked about——

Opposition members interjected.

Mr SPEAKER: Order! The Minister is on his feet. Members of the Opposition were heard in silence. I will not countenance interjections while this debate is taking place.

Mr MACKENROTH: The member for Surfers Paradise talked about comparing the number of questions asked in the first four weeks of this Parliament with the number asked in the opening session of the Forty-fifth Parliament. There are probably two things that he did not highlight when he said that. I cannot really comment in relation to one of them, that is, whether there were in fact as many allotted days in that first four weeks of the Forty-fifth Parliament as indeed there were at the start of this Parliament.

Mr FitzGerald interjected.

Mr MACKENROTH: There could not have been. There were more allotted days in this Parliament because the Government extended the Address in Reply debate.

Mr FitzGerald: One day.

Mr MACKENROTH: There was certainly one extra allotted day. That is one point that needs to be taken into consideration. There may have been more.

The second matter is the choice—and I repeat "the choice"—of the Opposition to ask questions without notice in preference to questions on notice. It is the choice of the Opposition to do that. Members of the Opposition would be well aware from the answers that they gave when they were in Government that questions without notice usually provoke much longer answers than do questions on notice.

Mr FitzGerald interjected.

Mr MACKENROTH: The honourable member should look back through the records. He will certainly find that that is true.

An Opposition member: You're struggling.

Mr MACKENROTH: No, I am not struggling. That is a fact.

The Opposition chooses to ask questions without notice. That is its choice. In fact, because of the poor questions asked by members of the Opposition, I have given consideration to letting the Opposition ask all the questions. Every time members of the Opposition ask a question, they make fools of themselves.

Members of the Opposition talk about fairness. I think we should examine the break-up of questions that were asked in this Parliament in the first period from 1 March to 10 May. Some 218 questions were asked during that period, 102 of which were asked by members of the Government. That is fewer than half. Members of the National Party asked 84 questions, and members of the Liberal Party asked 32 questions. To be fair, those questions have to be apportioned among the number of members. Of the 89 members in this Parliament, there are 18 Ministers and one Speaker, which leaves 70 members to ask questions. That is the exact number of members on the back benches.

Mr Borbidge interjected.

Mr SPEAKER: Order! The member for Surfers Paradise will cease interjecting.

Mr MACKENROTH: The total of the members of the National and Liberal Parties combined is 35, which is half of that 70. So fifty-fifty would be a reasonable split. Based on 26 Nationals and 9 Liberals, it would be reasonable to apportion three questions to the National Party and one question to the Liberal Party. In fact, during that period, there were 84 National Party questions to 32 Liberal Party questions, which is near enough to a ratio of 3 to 1.

The main problem we seem to have is giving the Deputy Leader of the Opposition the opportunity to ask questions. In those 14 days to which I have referred, there was only one occasion on which the Liberal Party had the call and the Deputy Leader of the Opposition did not have an opportunity to ask questions. That was on 20 March when two questions were asked by members of the Opposition and two were asked by members of the Liberal Party. On 8 May, two questions were asked by members of the Opposition and none were asked by the members of the Liberal Party. On the other 12 days, the National Party got either four or more than four questions. So on each of those other days, the Deputy Leader of the Opposition had the opportunity to ask questions.

Mr Stephan interjected.

Mr SPEAKER: Order! The member for Gympie will cease interjecting.

Mr MACKENROTH: Honourable members are debating a motion of dissent against Mr Speaker's ruling in relation to the order of asking questions. I have already made

the point that this practice is something that I believe was formulated as a result of a hatred of the Liberal Party by the previous National Party Government. However, it is the Speaker who determines the order of questions, and that has been acknowledged in this Parliament since I have been a member. That has always happened.

I remember that in 1977-78, three questions were asked by the Government side and two by the Opposition. It was not one to one; it was three to two. In 1974, irrespective of the fact that the Opposition had only 11 members, the Speaker chose to allow three Government members to ask questions for every one that was asked by an Opposition member. On each occasion it has been the prerogative of the Speaker to make that decision.

Mr Lingard: But he decided who was going to ask the questions.

Mr MACKENROTH: The biggest problem in this Parliament——

Mr Lingard: Why don't you answer?

Mr MACKENROTH: The member for Fassifern sits in Opposition and eyes off the seat which he occupied on two occasions but has no likelihood of ever occupying again. He is no longer the Speaker of this Parliament, yet he still tries to run this Parliament from his seat.

Mr Lingard interjected.

Mr SPEAKER: Order! The member for Fassifern will cease interjecting.

Mr MACKENROTH: A similar situation to this occurred in the House of Representatives. For the benefit of honourable members who want to talk about practices, I point out that the *House of Representatives Practice* states—

> "On 25 May 1950, a Member, during the adjournment debate, questioned the way in which Speaker Cameron had called Members during question time. The Speaker in reply said that the Member 'will come to my office in due course, examine the figures, and next week he will state the correct position'. He then gave figures showing the number of questions asked during the preceding weeks. On subsequent sitting days, the Member sought to catch the Speaker's eye at question time."

I ask the honourable member for Fassifern to listen to this. The *House of Representatives Practice* continues—

> "The Speaker said on one occasion 'I have decided that I shall not call the honourable member . . . for another question' "——

Mr Lingard interjected.

Mr SPEAKER: Order! I warn the member for Fassifern under Standing Order 123A for interjecting.

Mr MACKENROTH: As I was saying—

> " 'until he corrects the unjustified and inaccurate charges that he made against me . . . ' and on another 'I cannot see the honourable member'. When the Member was the only one on the opposition side to rise for the call, the Speaker ignored him and gave the call to the government side."

Mr Borbidge: Is Archie Cameron the role model for the Speaker?

Mr MACKENROTH: He was a conservative speaker. The *House of Representatives Practice* continues—

> "The incident was finally closed when the Member stated that he had not wished to cast any reflection on the Chair relating to the call or the Speaker's impartiality."

Mr Speaker, I firmly believe that you have been shown to preside over this Parliament in a very fair, open and honest manner. The problem in this Parliament is that a bunch of disgruntled people cannot accept that they are no longer in Government.

Mr Borbidge: All we want is the same treatment as you got.

Mr MACKENROTH: We will give that to the honourable member. We will go back to the way it was when I first became a member of this Parliament. Will the honourable member be happy with three to two?

Mr Borbidge: All we want is the same treatment as we gave you.

Mr MACKENROTH: This is a new Parliament. The Speaker decides on the order in which members will be called.

If National Party members had decided to approach this matter in a different way, that might have been better. They will not achieve anything in this Parliament by stupid dissent motions such as this. I am certain that the majority of members will support my proposition.

Mr BEANLAND (Toowong—Leader of the Liberal Party) (4.27 p.m.): I oppose this motion, which is a terrible waste of this Parliament's valuable time. Mr Speaker, the motion moved by the honourable member for Fassifern is nothing more than an attempt to undermine your authority. It is also a rather clumsy and arrogant attempt to gag the parliamentary Liberal Party.

Today, the National Party seeks to stop the Liberal Party raising issues that are of concern to the 25 per cent of Queenslanders who support the Liberal Party. At all times, the Liberal Party has used question-time responsibly and has raised issues that are of real concern to all Queenslanders. The Liberal Party will not use question-time to resort to the mud-slinging and airing of unsubstantiated allegations that have been made by other members of this House. It will use question-time to pursue the Government on legitimate issues. The aim of the Liberal Party is to force this Government to perform.

The debate about whether the Liberal Party should receive the third call during question-time is trite. Under Standing Orders, it is the prerogative of the Speaker to choose the order of members during question-time. Under any fair analysis of the numbers in this House, by excluding Cabinet Ministers who are not entitled to questions, the Liberal Party is entitled to the third call.

On page 137 of his report, Mr Fitzgerald, QC, recommends that the Opposition party or parties be given the resources and the opportunities in the Parliament to review and criticise the activities of the Government. Members of the National Party might care to refer to that. Mr Fitzgerald recognised that Queensland has a three-party system. Some members of the National Party should remember that Queensland is no longer a one-party State.

Mr Speaker, it is childish of the member for Fassifern to continue to seek to undermine your authority. The Liberal Party believes that, since taking office, you have acted fairly and with wisdom. You can be assured of the continuing support of the Liberal Party.

For some inexplicable reason, the National Party Opposition members, who represent Her Majesty's Opposition in name only, believe that they have exclusive rights to question-time. However, the National Party Government persistently tampered with question-time to institutionalise the Dorothy Dixer. It changed the rules when it suited. Even today, this House operates under the same rules as those introduced by the previous National Party Government. Of the first eight questions asked in this Parliament, four are rank Dorothy Dixers that are asked by the Government Whip and his deputy. Each morning, honourable members witness those gently bowled full tosses hit out of this Chamber for six. In its submission to the Standing Orders Committee, the Liberal Party will be seeking to rectify this situation.

Mr Palaszczuk interjected.

Mr BEANLAND: I thank the honourable member. They were beauties, too, and certainly bowled over the Premier. We saw a fine example of how the Premier carried on ad nauseam for at least 15 minutes and did not answer the questions. He spoke for 15 minutes on each question because he wanted to skirt the issue.

Mr Palaszczuk interjected.

Mr SPEAKER: Order! The honourable member for Archerfield will cease interjecting.

Mr BEANLAND: Through its submission to the Standing Orders Committee, the Liberal Party will seek to have question-time expanded to ensure that as many members as possible are given the opportunity to raise issues while they are current and topical. I think that that is extremely important.

Today, I would have thought that the National Party had more important issues to debate, such as those that are of vital concern to its constituents. For instance, we have heard little from National Party members about the crisis in the wool industry—and what a crisis it is! If the National Party does not soon wake up to itself and ditch the high-handed arrogance displayed by the honourable member for Fassifern, it will slip to even further miserable depths of despair, as we have seen in today's Morgan Gallup poll. Today, the National Party's support stands at 12.5 per cent. That figure speaks for itself.

The Liberal Party will support you, Mr Speaker, and vote against this motion.

Mr FOLEY (Yeronga) (4.32 p.m.): This is a motion under Standing Order No. 117 of dissent from the ruling of Mr Speaker made on 9 May that he would not accept a motion from the member for Fassifern that a matter should be referred to the Privileges Committee, namely, that the second call for questions by the Opposition should go to the Deputy Leader of the Opposition.

In rising to the matter of privilege, the member for Fassifern referred to Standing Orders 46 and 115, which Standing Orders he has referred to again during the course of this debate.

Standing Order 46 provides as follows—

> "An urgent Motion, directly concerning the privileges of the House, shall take precedence of other Motions as well as of Orders of the Day."

Standing Order 115 provides—

> "A Member may rise to speak to Order, or upon a matter of Privilege suddenly arising."

The honourable member referred correctly to the report of the Privileges Committee dated March 1979, which set out certain recommendations in respect of procedures for raising matters of privilege before this House. Those observations have been set out in the document which the honourable member has circulated to members of this House today.

If the motion of the member for Fassifern was truly an urgent motion directly concerning the privileges of the House, then Standing Order 46 provides that it "shall take precedence of other Motions as well as of Orders of the Day". If, then, the motion was truly an urgent motion on a matter of privilege, the ruling of Mr Speaker was wrong and should be dissented from.

The question is whether or not it was an urgent motion sought to be moved by the member for Fassifern and further, and in particular, whether or not it was a question of privilege. The short answer is that it is not a question of privilege, although it may be a matter which could be considered by the Standing Orders Committee.

What is a question of privilege? For this Legislative Assembly the answer to that question is found principally in the provisions of the Constitution Act 1867-1988, which sets out the following at section 40A—

> "The powers, privileges and immunities to be held, enjoyed and exercised by the Legislative Assembly and the members and committees thereof shall be such

as are defined by any Act or Acts so far as those powers, privileges and immunities are not inconsistent with this Act or any other Act and until so defined shall be those powers, privileges and immunities held, enjoyed and exercised for the time being by the Commons House of Parliament of the United Kingdom and its members and committees so far as those powers, privileges and immunities are not inconsistent with this Act or any other Act, whether held, possessed or enjoyed by custom, statute or otherwise."

Some guidance is given by sections 41 to 52 of that Act, which spell out in greater detail the powers and privileges of this Parliament, including the power to order the attendance of persons, the power to punish summarily for certain contempts, the power to break down doors in executing a warrant and the power to direct the Attorney-General to prosecute for certain contempts. Nowhere in the Act is there any mention of the allocation of questions in question-time being a matter of privilege.

One turns then, as required by section 40A of the Act, to the practice of the House of Commons. That is set out in Erskine May's *Treatise on the Law, Privileges, Proceedings and Usage of Parliament*, most recently in the twenty-first edition, which provides some guidance for honourable members of this House.

Chapter 5 of Erskine May summarises those privileges to include the freedom of speech, freedom from arrest, freedom of access, favourable construction, privilege with respect to the constitution of the House and the penal jurisdiction of the House. Nowhere in Erskine May have I been able to detect any reference to the allocation of the call at question-time as giving rise to a question of privilege.

Erskine May's observations in that regard are echoed by the *House of Representatives Practice*, second edition, which discussed parliamentary privilege and which refers, with approval, to the earlier enumeration of privileges in Quick and Garran's constitutional work. Although this work was not cited by the honourable member for Fassifern, in fairness one should say that, as enumerated at page 687, a reference appears there to the power to regulate its proceedings by Standing Rules and Orders having the force of law as being one of the privileges. It is not, however, and significantly not, a reference to the mode of exercise of that power which is the subject matter of the honourable member's motion.

The Standing Orders of this Legislative Assembly in Chapter VII deal with the asking of questions, in particular at Standing Order 67A with "Questions to Ministers".

Standing Order 69A provides that—

> "The number of Questions which may be asked by any Member upon Notice, or without Notice, shall not exceed two on any sitting day."

The Standing Orders are silent on the allocation of the call for questions.

In the absence of specific provision, one must assume that the power of allocation of the call for questions falls within the general power of the Speaker to regulate proceedings in the Legislative Assembly within the constraints of the Standing Orders.

Such a view is consistent with the observation by Erskine May of the duties and powers of the Speaker, discussed at pages 179-192. Erskine May observes at page 179—

> "The Speaker of the House of Commons is the representative of the House itself in its powers, proceedings and dignity. His functions fall into two main categories. On the one hand he is the spokesman or representative of the House in its relations with the Crown, the House of Lords and other authorities and persons outside Parliament. On the other hand he presides over the debates of the House of Commons and enforces the observance of all rules for preserving order in its proceedings."

Those authorities support the contention by Mr Speaker in *Hansard* in his reply to the honourable member for Fassifern on 9 May 1990, that—

> "The determination of the order in which questions are asked in this House is the prerogative of the Speaker."

That is consistent with the observation that the order of questions, as a matter of first principle, gives rise to a question of order rather than a question of privilege.

It follows from the preceding analysis——

Mr Elliott: Are you satisfied, though, that under the previous Government your Deputy Leader of the Opposition was able to ask questions in that order? Are you satisfied that that is reasonable?

Mr FOLEY: That is a question that does not fall for this House to consider today. I was not here then. I am confining my remarks to the matter that is before the Chair.

It follows from what I just said that Mr Speaker's ruling was correct; accordingly the motion of dissent from Mr Speaker's ruling should fail. In this respect, one is reinforced by the practice of the Commonwealth House of Representatives. When this matter arose in 1971 in that House, the matter was referred to the Standing Orders Committee. Furthermore, in 1986, a further reference arose in the course of that House, and again, on that occasion, the matter was referred to the Procedures Committee.

That gave rise to two reports, the second of which is particularly lengthy. So, while the matter of the allocation of the call of questions cannot be said to give rise to a question of privilege, it may be a matter which could be considered by the Standing Orders Committee, and it may be that honourable members opposite would be in a position to make submissions to that Standing Orders Committee.

Mr Speaker, I oppose the motion.

Mr LITTLEPROUD (Condamine) (4.42 p.m.): Today, I rise to support the motion of dissent against Mr Speaker's decision to afford the second call for this side of the Chamber to the Leader of the Liberal Party. It is important that this matter be addressed urgently by the Forth-sixth Parliament of Queensland.

The Opposition does not understand the basis of the decision taken by you, Mr Speaker. A democracy, as you, Mr Speaker, would be aware, relies on more than the written word. Sure, there must be a set of rules around which a framework of behaviour must be developed. However, a democracy is also protected by convention and precedent.

Mr Speaker, I accept that it is your prerogative to allocate questions in whatever way you choose. Your position and standing in this place is not in question. However, I take the issue of parliamentary conduct very seriously.

I am not ashamed to point out that I did not always agree with all the parliamentary practices that occurred when the members of the National Party made up the Bjelke-Petersen Government. However, I am aware that Sir Joh's actions were a result of the treatment afforded to the members of the Opposition when the Australian Labor Party was in Government prior to 1957.

However, it is important to point out that during the Ahern and Cooper Premierships this House made a number of significant steps towards improving the procedures of this House.

Mr Speaker, I am concerned that the course of action that you have taken will negate many of the positive achievements of the past couple of years. The Opposition, however, does need to know the reasons behind your course of action.

Until those reasons are adequately provided, the Opposition will continue to argue that your actions, Mr Speaker, are an attempt to gag it, that they are an attempt to limit the number and prominence of the Opposition attack during question-time, and that the privileges of the Deputy Leader of the Opposition have been compromised. Mr Speaker, you must at least tell us why.

After 1983, the Parliament of Queensland changed, and the fundamental landscape of Queensland politics changed. It changed because three major parties were represented, each acting independently—the National Party Government, the Labor Party Opposition, and the members of the Liberal Party on the cross benches.

Between 1983 and 1989, the Deputy Leader of the Opposition always received the second call for this side of the House. Mr Burns, the now Deputy Premier, would be well aware that this was the practice. He would be well aware of it because, if it had been any other way, the papers would have had headlines screaming, "Opposition gagged in Parliament—Nationals abuse Parliament" or something similar. The press gallery would have been full. All honourable members know that that would have been the case.

Tom Burns has even acknowledged the injustice of your most recent decision, Mr Speaker, which means that the Deputy Leader of the Opposition can ask his questions only after the Government Whip, the Deputy Government Whip, and the leader of a party with no official standing in this place. I do not understand the democratic principles behind that practice.

The make-ups of the previous Parliament and this Parliament are remarkably similar. In the last Parliament, the National Party Government had 48 seats, or 54 per cent of the seats; the Labor Party had 30 seats, or 34 per cent of the seats; and the Liberal Party had 11 seats, or 12 per cent of the seats. In this Parliament, the Labor Party Government has 54 seats, or 60 per cent of the seats; the Nationals have 26 seats, or 30 per cent of the seats; and the Liberals have 9 seats, or 10 per cent of the seats. The proportions are roughly the same.

Mr Speaker, it was always my understanding that the order of questioning was determined by the relative prominence of each party in the House. For example, if the Liberal Party had a few less seats than the official Opposition, it could be accepted that it received the second call. That would be fair and reasonable, Mr Speaker. But, in this Parliament as in the last, the Liberal Party has far less numerical strength than the official Opposition. In fact, in this Parliament, it has no official status. So the logic behind your decision, Mr Speaker, does not stand up to reason, given the precedents firmly established in this place. The logic of the decision is unclear, but the effect is not. The Opposition simply does not get its fair share of questioning.

The Deputy Leader of the Opposition pointed out some important statistics that need reiteration. In the first 13 days of the Forty-fifth Parliament, the Labor Party in Opposition asked 118 questions. In the first l3 days of this, the Forty-sixth Parliament, the National Party Opposition could ask only 65 questions. Already in this session of Parliament, the Government has escaped Opposition questioning. One day last week, the Deputy Leader of the Opposition did not get the opportunity to ask one question. So much for accountable Government. So much for the parliamentary reform that was promised in those first halcyon days of this Parliament.

The Opposition has attempted to assist in this Government's and I believe Mr Speaker's stated desire to achieve parliamentary reform. Mr Speaker, you will recall, on the opening day of this Parliament, that the Leader of the Opposition outlined our desire to participate in the reform of the Parliament. We proposed freedom of information legislation. The Government has now backed away from that. We were promised every possible opportunity to speak, yet we were gagged on the very first sitting day. Now we cannot get enough questions up. Dorothy Dix questions are the norm every day, and the language of some members opposite should not be tolerated even on a football field, let alone in the Parliament. Our tolerance is wearing thin.

We ask you, Mr Speaker, quite clearly to rethink your decision on the basis of the figures that have been put forward by Opposition members. If you then do not consider it appropriate, we ask you to refer the matter to the Privileges Committee for urgent consideration. It is a matter that needs your urgent consideration.

Mr Speaker, I did not enter this debate lightly. I respect this institution and the Standing Orders and conventions that guide it, but I am determined to express my total displeasure with a decision that severely limits our ability, as Her Majesty's Opposition, to do the job we were elected to do.

Now, Mr Speaker, I would like to summarise the case that was put so forcefully by the honourable member for Fassifern. The major issue is this: does a member of this House have a right to move that a motion of dissent from Mr Speaker's ruling be referred to the Privileges Committee? The answer is that he does. When Mr Speaker refused to accept Mr Lingard's motion, he was in breach of Standing Orders. He does not have that right. All matters referring to the rights of members of this House rest with us, the members themselves. Matters may be referred to the Privileges Committee for an opinion but, finally, the matter is referred back to us members to decide. By ruling that a motion of dissent would not be accepted, Mr Speaker denied a member of this House his basic right.

I point out to all honourable members that this vote is all about us, the elected members of the Legislative Assembly, retaining our rights. Mr Speaker erred in refusing Mr Lingard that right. It is imperative that, today, we vote on this issue as parliamentarians, not as members of political parties. All members respect the position of the Speaker, but it would be a gross departure from our responsibilities to parliamentary democracy if we did not indicate to Mr Speaker that, on this occasion, he erred in his use of the Standing Orders.

Hon. D. M. WELLS (Murrumba—Attorney-General) (4.49 p.m.): We have heard from the Opposition about precedents, practices, ratios and the Standing Orders and we have heard from the banks of the
Condamine——

Mr Littleproud: And about the rights of members.

Mr WELLS: And about rights and about history. In fact, this debate is about something that is a great deal more simple.

Honourable members will remember that, back in 1972, a ramshackle Federal coalition lost Government and, subsequently, there was a dispute between Mr Philip Lynch, who was Deputy Leader of the Liberal Party, and Mr Doug Anthony, who was Leader of the National Party, about who was the second most important person in the coalition. That is what is at stake today—who is the second most important person in the Opposition.

The argument advanced by the Labor Party—Her Majesty's loyal Opposition—is that, because it has a preponderance of numbers in the Opposition, it should get the first two questions allocated to the Opposition.

Mr Littleproud: We are Her Majesty's Opposition and you have to admit it.

Mr WELLS: All honourable members on the other side of the House are part of Her Majesty's Opposition. The Liberal Party differs from the National Party only in the fact it has fewer seats. It does not differ from the National Party because it got significantly fewer votes, because both parties got approximately the same number of votes. So let us examine the question of basic, fundamental, democratic principles, a question that was not understood by the honourable member from the banks of the Condamine.

Mr Speaker represents the Parliament. Since 1642, a year well beloved by the honourable member for Fassifern, the Speaker has represented the Parliament and, theoretically, the Parliament represents the people. Therefore, the Speaker should, where those wishes are clear, simple and precisely determined, represent the wishes of the people and, therefore, the Speaker should not favour one part of the Opposition as against another part of the Opposition, if those two parts of the Opposition received approximately the same number of votes at the election. The Speaker should represent the people and give effect to their wishes where their wishes are clear and where he can.

The Labor Party has this logic of fait accompli. It says that, because it has so many more members in this House than the Liberals, it should get the first question and the third question, and two out of every three from then on. It says that the Speaker has

the discretion—the right unchallenged even by the honourable member for Condamine—to choose whomever he likes to speak, but the honourable member says that that right has to be set aside because the Opposition has more members than the Liberals have.

Why does it have more members than the Liberals? Because of the gerrymander! What we hear today from those honourable members opposite is the gerrymander's last stand. We have heard a great deal of bleating from honourable members opposite. We heard from the honourable member for Surfers Paradise, the man who would be the second most important person in the Opposition, say that he was denied adequate time during question-time. Is he thereby not criticising the Standing Orders under which his Government operated for so long? Is he not criticising the forms and practices under which they ran this State for so long? If we have not changed those forms and practices at this stage, is he doing anything more than condemning his own ghost? He stands and speaks as if he regrets that there is no new era.

Opposition members interjected.

Mr WELLS: I will take the interjections from honourable members opposite if only they will speak one at a time.

Mr Littleproud: We will work with the Standing Orders. We just want them applied.

Mr WELLS: We heard about how the Opposition wanted to work with us! At the end of his speech on the first day of Parliament the Leader of the Opposition indicated how well he wanted to work with us by giving notice of a motion. That notice of motion referred to the implementation of one or two items from the Fitzgerald report. What the members of the Opposition did not understand was that that was not how Fitzgerald said it should be done. Fitzgerald said that this should be done by referral to the EARC and the CJC, and that their recommendations should come back through the parliamentary committees. Opposition members do not understand about parliamentary committees because they do not understand about Parliament or democracy. Having lost the perks of victory, they want to wring the spoils of defeat out of their junior partners in the coalition at the other end of this Chamber.

The members of the Opposition want the first two calls for questions on the other side of the Chamber to go to them. They want the gerrymander to continue to haunt this Parliament even in its death throes. They want to stop Mr Speaker from exercising his discretion to allow something like a quarter of the people in this State to have their legitimate voice in Parliament speak in its own faltering tone on their behalf.

Mr Littleproud: Forget about Wayne Goss and stand up for the civil rights you always hold so dear.

Mr WELLS: I will tell the honourable member about civil rights. The honourable member said that democracy involved the party with the official standing getting all the privileges, the right of freedom of speech and the right to speak in this House. That is what he thought democracy consisted of. I will tell him something that obviously he has not understood, notwithstanding the Fitzgerald inquiry and the 1989 election, and that is that democracy consists in the will of the people being represented in a representative legislature—one that the National Party did not ever allow.

Mr ELLIOTT: I rise to a point of order. Mr Speaker, you ruled before that the Leader of Opposition Business in the House was out of order when he referred to Standing Order 124. Surely, if this gentleman on the other side of the House is talking about the gerrymander, he is six miles off the debate.

Mr SPEAKER: Order! I ask the Minister to return to the question of privilege and the order of questions during question-time.

Mr WELLS: The basic issue of privilege relates to the question of whether Mr Speaker can call——

Mr Stephan interjected.

Mr SPEAKER: Order! The honourable member for Gympie will cease interjecting.

Mr Stephan interjected.

Mr SPEAKER: Order! I warn the honourable member for Gympie under Standing Order 123A to cease interjecting.

Mr Stephan interjected.

Mr SPEAKER: Order! The honourable member for Gympie has already been warned under Standing Order 123A and I now ask him to leave the Chamber.

Whereupon the honourable member for Gympie withdrew from the Chamber.

Mr WELLS: That was a piece of political martyrdom if ever I saw one! By the sacrifice of his own political life, the honourable member for Gympie has managed to waste one minute of my speech. I do not mind, because the points are already made.

The fundamental issue in this debate is whether or not Mr Speaker—as the Speaker of a Parliament representing the people of Queensland—can make a determination at his discretion about who will be the next person to speak.

Mr Littleproud: What about the numbers?

Mr WELLS: Opposition members talk about numbers. When I answer their questions, they complain that I am not relevant. Is that my fault or is it theirs? The honourable member for Fassifern quoted Speaker Lenthal in the Parliament of 1642. I invite Opposition members to consider the words of Oliver Cromwell when he said, "I beg and beseech you to consider the possibility that you are wrong." I suggest that next time honourable members opposite think about numbers, they think about the numbers of the people of Queensland; the numbers of people whom they oppressed and misrepresented for so long.

Surely what is happening here today is not the lawyerism that we heard from the honourable member for Fassifern. It has nothing to do with precedents, principles, ratios, Standing Orders or anything like that. It is all to do with the National Party's determination to ride roughshod over its junior coalition partner. It is all about who is the second-most important person in the Opposition. Truly, this has been the gerrymander's last stand by the National Party.

Dr WATSON (Moggill—Deputy Leader of the Liberal Party) (4.59 p.m.): I, together with my fellow Liberals, rise to support you, Mr Speaker, in your decision and to oppose the motion that is before the House. The member for Yeronga has already outlined fairly clearly that the basis for the original motion in terms of its question of privilege is null and void.

I wish to extend this debate a little further. The question of how readily members of the Opposition and those of the non-Government party should actually dissent from rulings made by the Chair is interesting. If one looks at the issue of dissent from Speakers' rulings, one finds that, for some very good and proper reasons, in many Lower Houses in the Commonwealth dissent is not even available. For example, it is not available in the Lower House in the United Kingdom, nor is it available any more in the Lower House in the House of Commons in Canada and India.

Mr Perrett: Is it available in Russia?

Dr WATSON: I was not aware that Russia was a member of the Commonwealth.

Mr Perrett: They work under the Westminster system.

Dr WATSON: The Russians are trying to go that way.

The reason that dissent from a Speaker's ruling was removed as a tactic for use by members of Parliament was that, in the opinion of many people, dissent from rulings made by the Chair encourages members to challenge the Speaker's rulings and, perhaps

in extreme cases, is thought to undermine the authority of the Chair. It is also sometimes argued—and this is not a reflection on you, Mr Speaker—that the Speaker may tend to favour the majority, simply to ensure that his rulings are upheld.

If one were to examine the motions of dissent moved against the Speaker's rulings in the Queensland Parliament and also, for example, in the House of Representatives, one would find that in the majority of cases the decisions have favoured the Government and that the mover of the motion of dissent was defeated. I have obtained material from the Parliamentary Library that indicates that, since 1984, all four motions of dissent from the Speaker's ruling moved in the Queensland Parliament were defeated. Earlier, reference was made to the practice in the House of Representatives. Research indicates that, between 1901 and 1980, approximately 130 motions of dissent from rulings made by the Chair were moved. The number resolved in the negative was 97, 86 were agreed to and 27 motions lapsed.

Mr FitzGerald: We live in hope.

Dr WATSON: Those who live in hope usually die from fasting.

The case in favour of removing motions of dissent was presented by Professor Aitchison in his article titled *The Speakership of the Canadian House of Commons*. He wrote—

> "The case for the abolition of appeals is overwhelming even in the absence of a permanent Speakership.
>
> . . .
>
> It has also been frequently asserted in the Canadian House that the abolition of appeals would be inconsistent with the position of the Speaker as a servant of the House and the fact that the House is master of its own procedure.
>
> But there are no appeals in the British House where the Speaker is equally the servant of the House and the House the master of its procedure. The Speaker best serves the House if his rulings cannot be reversed, and the House best serves its own interest by controlling its procedure through the deliberate amendment of the rules when necessary"—

which is, of course, the reference mentioned by the member for Yeronga involving the House of Representatives that was later referred to the Procedures Committee—

> "and not through the determination by majority vote of the application of the rules to particular cases."

The whole issue of dissent from the Speaker's ruling is an open question. However, there is no doubt that the Speaker has a right not to see a member. That matter was referred to earlier by the Leader of the House, who cited the case that arose in the Federal Parliament in May 1950. At that time the Speaker, Mr Cameron, said—

> "I have decided that I shall not call the honourable member . . . for another question until he corrects the unjustified and inaccurate charges that he made against me."

On another occasion Mr Cameron stated—

> "I cannot see the honourable member."

When the member he was referring to was the only member on the Opposition side to rise to the call, the Speaker ignored him and gave the call to the Government side.

The House of Representatives is an example of another Parliament that allows motions of dissent from a Speaker's ruling, and it is interesting that the practice still allows the Speaker to determine who gets the call and, certainly in question-time, the order in which the call is given. During this debate, I must refer to my own experience as a member of the House of Representatives.

An honourable member: A very short one, too. It was only three years.

Dr WATSON: A very short one, but it was an extremely valuable experience. Perhaps there is something to be gained from allowing me to refer to some members of the National Party. I have been intrigued by calls made by the Leader of the National Party and by some of his colleagues for a move towards coordination between the Liberal Party and the National Party.

During my term as a member of the Federal Parliament, it seemed to me that there was no specific order in which questions were asked. It was not the case that the Leader of the Opposition always led in asking questions at question-time. Both during my term and presently, the Leader of the Liberal Party in Federal Parliament is the Leader of the Opposition, but it often occurred that shadow Ministers and the Leader of the National Party were able to lead the asking of questions during question-time.

Mr FitzGerald: But that was by arrangement, and it could be done here by arrangement. It is the same system. You were right the first time.

Dr WATSON: With all due respect to the honourable member, by supporting this motion of dissent, he is trying to enforce a particular order of asking questions and is not trying to achieve anything by arrangement at all. He is trying to enforce a particular order, but I am pointing out to him that there are other ways of handling question-time.

From time to time, leaders of political parties in other Houses of Parliament in Australia actually agree upon who will lead when asking questions. The practice of a Leader of the Opposition always asking the first question during question-time is not inviolate; nor should it be inviolate, for example, that the Deputy Leader of the Opposition should ask the first question.

Mr FitzGerald: This motion concerns dissent from the Speaker's ruling that there is a set way. Let us get that straight. The Opposition has moved a motion of dissent from the Speaker's ruling.

Dr WATSON: The issue is whether or not the Speaker's ruling should be supported. The point is that the Speaker has ultimate authority to decide whom he will recognise in any particular case.

Mr Littleproud: That is not the issue.

Dr WATSON: That is the issue.

Mr Littleproud: The issue is whether or not Mr Lingard had the right to move that motion of dissent?

Dr WATSON: That may be a technical point, but the substantive issue is the one referred to earlier by the Attorney-General and the one to which I am referring now.

None of us, apart from the Ministers, has any particular party status in this House. We are all private members. The objective of question-time is to give private members an equal opportunity to ask questions of Ministers. If anyone has a right to complain, it is the Liberal Party. Even though the Liberal Party received almost the same vote as the National Party at the last election, the fact that because of the electoral system my party won fewer seats is now being carried over to this Parliament to ensure that the same discrepancy follows through into question-time.

The Liberal Party should be complaining that the people whom it represents are not getting a fair go. However, it is not. It supports Mr Speaker's right to make the decision. That is the substantive issue in this debate. The Liberal Party is pleased to support that issue and vote against the motion.

Mr SANTORO (Merthyr) (5.09 p.m.): It gives me no great pleasure to be participating in this debate. However, as a member who sometimes occupies the Chair, I am pleased to support you, Mr Speaker, and the position of Speaker.

Since I was elected to this Parliament in May last year, I have had the displeasure of participating in two motions of dissent against the Speaker. It is interesting to note that both of those motions were supported by members of the National Party. I hope that those members do not develop a habit that will see the proceedings of this House and the dignity of the Chair regularly usurped.

Mr Smyth: It's a bit like the writs they issued.

Mr SANTORO: The honourable member should not interject. Last year, when Labor Party members had an opportunity to support the Speaker—the Liberal Party did—three or four of them were found wanting. They were either asleep or somewhere else.

Most of the points that I wish to make have already been raised eloquently by other Liberal Party and Government members. However, I will refer to a couple of technical aspects.

First of all, I am indebted to you, Mr Speaker, for making available briefing notes for members. The question of privilege is very well defined in that document. Perhaps I do not understand the legalese as well as other members who have spoken, but I believe that the privileges of members have not been interfered with by your ruling, Mr Speaker. If another member can convince me that I am wrong, I will withdraw that statement. However, the documents that I have examined, including *Erskine May's Parliamentary Practice* and Standing Orders, lead me to believe that the privileges of this House have not been interfered with. The only privileges that have been interfered with are your own, Mr Speaker, which is why the Liberal Party is supporting you.

Mr Speaker, if you examine the technical aspects referred to by the honourable member for Fassifern and the document that he referred to—the 1979 report from the Privileges Committee—the procedure to be adopted by a member of this place when referring a matter to the Privileges Committee is clear. That report stated—

"(d) If it is (ii), the Member has the right to move in the House that a matter be referred to the Committee."

The honourable member for Fassifern submitted the following motion to the House through you, Mr Speaker—

" . . . to ask the House to consider that the matter of the second call for questions by the Opposition should go to the Deputy Leader of the Opposition, and that the matter should be referred to the Privileges Committee."

I suggest that, although the member for Fassifern was keen to seek to find his authority in the Privileges Committee report, he did not follow the advice set out in that report. Therefore, Mr Speaker, apart from exercising any particular authority that you are entitled to exercise, you really had no option other than to rule the motion moved by the honourable member for Fassifern out of order.

The member for Fassifern then went on to move that Mr Speaker's ruling be dissented from. The Liberal Party believes that Mr Speaker was entitled to make that ruling. At that stage, the Leader of the House, Mr Mackenroth, stood and said—

"I rise to a point of order. The member needs to hand that motion in writing to the table immediately he moves it."

When one examines the point made by the Leader of the House, one realises that he was correct. However, Mr Speaker, who displays fairness, tolerance and a sense of goodwill towards all members of this House, including members of the Liberal Party, waived the requirement that the dissent motion be in writing. That is why the Liberal Party is pleased to support him today.

Members of the National Party, who support the motion, were keen to point out that Mr Speaker's ruling was an attempt to gag debate. That is arrant nonsense. A gag applies when the Government uses its numbers to curtail debate. The word "gag" implies that the amount of time that is available for questions and the number of opportunities

that are available to any particular grouping in this House have been curtailed. The facts do not support the contention that a gag has been applied, if honourable members want to use the term so loosely in this debate.

Earlier, other members referred to research carried out into the time allotted during question-time for questions asked both by Government members and by Opposition members. When one compares those figures, one notices that, under the present Government, the amount of time that has been allowed has not decreased. The figures reveal also that the number of questions asked has been in proportion to the representation of the various parties in this place. The gag has not been applied, and no amount of research can sustain that particular claim.

Those are just a few technical points that I wanted to raise. I acknowledge that they have been raised in other ways by other speakers. However, the major reason why I rose to speak in support of you, Mr Speaker, and against the motion, is to support the position of Speaker. In the end, honourable members of the National Party should read the authority and take heed of the precedents. *Erskine May's Parliamentary Practice* states—

> "The Speaker is the final authority as to the admissibility of questions."

The Standing Orders of this Parliament reinforce that basic right, that basic Westminster principle, which is enshrined in precedent and in all of the authoritative work that I have been able to turn up.

At page 335, in the section dealing with questions, *Erskine May's Parliamentary Practice* goes on to say—

> "The Speaker's responsibility in regard to questions is limited to their compliance with the rules of the House. Responsibility in other respects rests with the Member who proposes to ask the question."

The Fitzgerald report comments on the necessity to have a question-time that is representative of the strengths within the Parliament. Members of the National Party have accepted the Fitzgerald report and said, "It is a good report. We support it. It is a report that we started implementing, and we support the Government's intention to continue to implement it." Yet the National Party seems to want to deny the Liberal Party in this place the legitimate right to have the views of the people whom it represents expressed and represented during question-time. It is an aspect of the Fitzgerald report that I suggest the National Party ought to very quickly recognise. This State is a three-party State. The Liberal Party represents a major proportion of the Queensland population.

With your concurrence, Mr Speaker, and with the courtesy that you show to us, and to which we are entitled, members of the Liberal Party will vote against the motion and continue to support you as the person presiding over this House and as the authority of the House.

Question—that the motion be agreed to—put; and the House divided—
AYES, 21
NOES, 57

DIVISION

Resolved in the negative.

Mr LINGARD: Mr Speaker——

Mr WARBURTON: Mr Speaker——

Mr SPEAKER: Order! I call the Minister.

Mr LINGARD: I give notice that tomorrow I will move——

Mr SPEAKER: Order! The honourable member will resume his seat. I call the Minister.

Opposition members: He hasn't called.

Mr BORBIDGE: I rise to a point of order.

Mr SPEAKER: Order! The member for Fassifern will resume his seat. I have called the Minister.

Mr BORBIDGE (Surfers Paradise—Deputy Leader of the Opposition) (5.27 p.m.): I move—

"That the member for Fassifern be now heard."

Mr SPEAKER: Order! That is totally out of order. I will not accept that motion.

Mr WARBURTON: Mr Speaker——

Mr BORBIDGE: I rise to a point of order.

Mr SPEAKER: Order! The member will resume his seat. I call the Minister.

ELECTRICITY SUPERANNUATION RESTORATION BILL

Hon. N. G. WARBURTON (Sandgate—Minister for Employment, Training and Industrial Relations) (5.28 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for an entitlement to superannuation benefits for certain former employees of The South East Queensland Electricity Board, and to amend the City of Brisbane Act 1924-1989 in a certain particular."

Motion agreed to.

Mr SPEAKER read a message from His Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Warburton, read a first time.

Second Reading

Hon. N. G. WARBURTON (Sandgate—Minister for Employment, Training and Industrial Relations) (5.29 p.m.): I move—

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

The function of this Bill is to allow the payment of accrued employer-funded superannuation contributions to electricity authority employees who were dismissed during the electricity dispute of 1985.

It is not my intention to delve into the sorry history of that dispute to any great extent. However, it was a most divisive and bitter dispute, made more so by the malicious actions of the previous Queensland Government. The facts which are relevant to this Bill are as simple as they are unusual in the industrial relations record of civilised communities.

On 7 February 1985 a state of emergency was proclaimed under the State Transport Act. Orders in Council ordering SEQEB employees to return to work or be dismissed were then issued. Letters confirming termination were subsequently issued to those who had not agreed to return to work, namely, over 800 employees. This action and subsequent legislation introduced by the then Government effectively restricted the State Industrial Commission in its attempts to resolve the dispute.

No doubt those responsible—and their supporters—would claim that somehow this hasty action had "switched on the lights". However any reasoned analysis of the dispute exposes that claim as fatuous.

If the previous National Party Government had not intervened in the way that it did, it is quite likely that we would have seen a much earlier end to the dispute. We would not have been left with a legacy of division and distrust in industrial relations in this State.

The crux of the matter was that, having been dismissed, those former employees of SEQEB were then denied the opportunity of receiving payment of the employer's contribution to the superannuation fund. They received only their own contributions plus interest earned by the fund.

In October 1985, legislation was passed that restored those benefits to those who had been selectively re-employed on conditions that were objectionable to the great majority of former employees. Therefore, those workers, who were dismissed for exercising a legitimate right in a democratic society to withdraw their labour, were doubly penalised. Some of the people involved had accumulated nearly 40 years of service and many were approaching retirement. These workers lost thousands of dollars in their accumulated

entitlements. The effect on many of those long-term employees and their families has been devastating.

When the Bill restoring superannuation to former employees who had been re-engaged was introduced into this House, the honourable member for Nudgee, then the Opposition spokesperson on industrial relations and now the Minister for Resource Industries, indicated that a Labor Government would enact the legislation necessary to restore the superannuation benefits to the remaining SEQEB employees. This Bill fulfils that promise.

The legislation provides that persons who were employed by SEQEB and contributed to a relevant superannuation scheme and who were dismissed for engaging in the 1985 industrial action are entitled to a payment of accrued employer-funded superannuation benefits, including an appropriate rate of interest. Persons seeking payment of this entitlement are to make application to the secretary of SEQEB who, if satisfied of the former employee's right to such entitlement, is to certify the application. If the secretary of SEQEB is not satisfied of the claim to entitlement, the application is to be determined by the Minister responsible for this legislation. The Minister's decision is final.

The legislation acknowledges the various superannuation schemes involved, namely, the Queensland Electricity Supply Industry Employees' Superannuation Scheme and the Brisbane City Council Superannuation Fund. Appropriate provision is made for those employees who are currently working in the electricity industry as well as those who have left.

The money payable to these people is no more than a fair and just entitlement. Payment will consist of the employer's contribution on behalf of the member of the superannuation fund at the time his or her services were terminated, together with set interest to 1 July 1990 and any further interest thereafter at the fund earning rate. The amount will be payable at age 55.

Payments in the event of death are also provided for. In addition, persons who are judged by the board of the Queensland Electricity Supply Industry Employees' Superannuation Scheme to be totally and permanently disabled prior to reaching 55 will, from the date of the board's decision, be entitled to benefits equivalent to what their estate would have received in the event of their death.

This proposal does not draw upon any funds which could be committed to other projects such as education, police, or flood relief. It merely provides for the vesting of the employer's superannuation contribution already placed in the fund for these employees. Vesting is now an accepted principle of superannuation schemes, and is indeed one of the tests for the receipt of tax concessions under Commonwealth legislation.

The total payments involved will be between $9.2m and $10.8m, at today's money value, over 25 years, with about $1.9m payable shortly after 1 July 1990.

As I have already stated, the amounts contributed by the employers on behalf of these former employees have remained in the fund, accumulating earnings as part of the fund, since 1985. Therefore, payments from the fund, as provided by this legislation, will neither disadvantage the other members of the fund nor affect its viability.

Action taken as a result of this legislation to restore superannuation benefits to the dismissed SEQEB workers is to be complemented in due course by the repeal of the 1985 legislation, which removed the electricity supply industry from the jurisdiction of the Industrial Commission and confirmed the conditions imposed during the state of emergency. That legislation is arguably in breach of Conventions of the International Labour Organisation, and was found by the eminent jurist Dame Roma Mitchell of the Human Rights Commission to infringe a number of basic human rights.

The removal of that legislation from the statutes of Queensland will be an important step in the healing process of restoring a sound basis for harmony, consensus and cooperation in the industrial relations of this State.

I commend the Bill to the House.

Debate, on motion of Mr Harper, adjourned.

PRECEDENCE OF GOVERNMENT BUSINESS

Mr SPEAKER: Honourable members, before I call on the Honourable the Attorney-General, I inform you that, prior to my calling the Minister for Employment, Training and Industrial Relations, the member for Fassifern rose and the member for Surfers Paradise was outraged that I did not give that member the call. Having been the Speaker in this Chamber for a number of years, the member for Fassifern ought to know that at this point of time Government business takes precedence in the House. The opportunity to give notice of a motion expired at an earlier stage of the day.

I am absolutely outraged that members on my left continue to cast aspersions on the impartiality of the Chair. They ought to study Standing Orders and understand them. I now call on the Attorney-General.

CRIMINAL LAW (REHABILITATION OF OFFENDERS) ACT AMENDMENT BILL

Hon. D. M. WELLS (Murrumba—Attorney-General) (5.37 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill to amend the Criminal Law (Rehabilitation of Offenders) Act 1986-1988 in certain particulars."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Wells, read a first time.

Second Reading

Hon. D. M. WELLS (Murrumba—Attorney-General) (5.38 p.m.): I move—

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

Ten years is too long a time to compel people convicted of minor offences to disclose the fact of their convictions. For example, people convicted for the infamous street march offences introduced by the previous Government have not, by law, been able to put those convictions behind them for a decade.

This Government does not believe that such people and others who have been convicted of minor offences in the Magistrates Court should be required to disclose those offences for 10 years after the sentence has been passed. Thus it is I propose by this Bill to amend the Criminal Law (Rehabilitation of Offenders) Act.

The proposed amendments to the Act have a two-fold purpose: to introduce a sensible distinction between simple offences and indictable offences, and also to introduce a distinction between indictable offences dealt with summarily and indictable offences dealt with in the superior courts.

An indictable offence may be defined as an offence that is of sufficient gravity generally requiring the case to be determined in a superior court; that is, a District Court or the Supreme Court before a judge and jury.

However, in the case of some less serious indictable offences—for example, a minor stealing offence—provision is made in the Criminal Code to allow such offences to be heard before a magistrate without a jury at the choice of the accused. In such cases, the indictable offence is said to have been determined summarily. In the event of an accused choosing, or the prosecution nominating, that the indictable matter be dealt with by a magistrate, any resulting conviction is regarded only as a conviction for a simple offence.

As the Act presently stands, it provides that, for most purposes, convictions for offences may be disregarded after a period of 10 years for adults, wherever and for whatever they may have been convicted, and five years for children. In the view of this Government, the Act as it applies to adults has not been sufficiently discriminating in distinguishing between the type and the manner of disposal of offences. Thus, the period of 10 years during which an offender is required to disclose the fact of the conviction applies equally to a person convicted of rape as to a person convicted of taking part in a demonstration without a permit. Such lack of discrimination is both inequitable and unjust.

This Government considers that the Act should be changed for a second reason. It is proposed to reduce the period during which the fact of conviction must be disclosed to a five year period in the case of persons having indictable offences dealt with summarily in the Magistrates Court. For example, should a person charged with break and enter offences elect to be dealt with summarily in the Magistrates Court rather than by indictment in the District Court, the person would only be required to disclose that conviction over a period of five years rather than 10 years.

As a result, the proposed changes will recognise two distinct categories applicable to adult offenders. The first category is a period of five years in the case of an adult convicted of either a simple offence or an indictable offence which has been dealt with summarily in the Magistrates Court. The second category is a period of 10 years applicable to all cases where the matter has been dealt with on an indictment in the superior courts. It is not proposed to alter the rehabilitation period applicable to children.

The initiatives embodied in this proposed change to the Act reflect this Government's determination to ensure that an equitable balance is struck between the interests of the community and the potential for the rehabilitation of the individual offender. As such, it reinforces this Government's commitment to the proper administration of justice in Queensland.

Debate, on motion of Mr Harper, adjourned.

CORRECTIVE SERVICES (VALIDATION OF REGULATIONS) BILL

Hon. G. R. MILLINER (Everton—Minister for Justice and Corrective Services) (5.42 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill to validate the Corrective Services Regulations 1988."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Milliner, read a first time.

Second Reading

Hon. G. R. MILLINER (Everton—Minister for Justice and Corrective Services) (5.43 p.m.): I move—

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

This is a short and straightforward Bill aimed at validating the Corrective Services Regulations 1988, as well as all acts done in reliance on those regulations.

The reason that validating legislation is necessary is that the then Minister for Justice and Attorney-General and Minister for Corrective Services failed to lay the regulations before the Legislative Assembly as required by section 28A (1) (d) of the Acts Interpretation Act. As honourable members would appreciate, this subsection provides that regulations are to be laid before the Legislative Assembly within 14 sitting

days after their publication in the *Queensland Government Gazette*. Section 28A (2) provides that, if this procedure is not adopted, the regulations are void and of no effect.

When it was drawn to the then Minister's attention that the regulations had not been laid before the Legislative Assembly, action was taken to rectify the situation and new regulations were approved by the Executive Council on 22 June 1989 and were later published in the *Queensland Government Gazette* and laid before the Legislative Assembly.

Unfortunately, actions had been taken in reliance on the void regulations and legal advice was obtained that validating legislation was necessary to prevent possible litigation and to avoid any uncertainty. In addition, the Committee of Subordinate Legislation has also expressed concern about this matter, and I share the committee's view that the only way that this matter can be sensibly and finally resolved is by the passage of a specific piece of validating legislation.

I might also add that the Committee of Subordinate Legislation has played a very useful and constructive role in this matter by originally drawing it to the attention of the then Minister. I therefore place on public record my appreciation of the work of the committee and of both its former and present members who have worked diligently in serving the people of Queensland.

I commend the Bill to the House.

Debate, on motion of Mr Harper, adjourned.

REAL PROPERTY ACTS AMENDMENT BILL

Hon. A. G. EATON (Mourilyan—Minister for Land Management) (5.45 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Real Property Act 1861-1988 and the Real Property Act 1877-1988 each in certain particulars."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Mr Eaton, read a first time.

Second Reading

Hon. A. G. EATON (Mourilyan—Minister for Land Management) (5.45 p.m.) I move—

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

On 15 June 1989, the Law Reform Commission released a working paper on a Bill in respect of an Act to reform and consolidate the Real Property Acts. A number of amendments were proposed in that working paper. At this time, it is intended to proceed with two issues which have been raised by the Registrar of Titles and addressed by the commission in that paper. Those issues relate to the scale to which plans of subdivision are drawn and the value of intestate estates which can be administered without the need to obtain letters of administration in intestacy where a deceased person held land in his or her own name or as a tenant in common.

Additionally, long-standing conveyancing practices have been altered by a recent decision of the Supreme Court. It is proposed to clarify the Real Property Act to overcome anomalies which that decision has created. Currently, section 120 of the Real Property Act 1861-1988 requires that plans of subdivision be drawn to a specific scale based upon the area of the parcel being subdivided. It has been found impractical in some instances to draw plans to the required scale. Problems occur when the plan is drawn to the required scale and the subdivision cannot be included on the one plan form.

It is proposed that the amendment will remove the necessity to draw the plans to a particular scale provided by the Real Property Act but will require that such plans be prepared so that they comply with the requirements of the Surveyors Act 1977-1987. That Act specifies the manner in which such plans should be prepared.

Section 32 (2) (a) (i) of the Real Property Act 1877-1988 presently provides that if the gross value of the estate in Queensland of a person who dies intestate and holds land in his or her own name or as a tenant in common exceeds $50,000 at the date of death, letters of administration in intestacy must be obtained to enable the deceased’s interest in that land to be dealt with. It is proposed that the amendment will increase the value of such estates to $100,000 and enable the amount to be varied from time to time by the Governor in Council by Order in Council. Such an amendment will mean that the provisions applicable to lessees of Crown land will be the same as those applicable to freehold land and will enable considerable savings to be made in the cost of the administration of intestate estates.

Section 39 of the Real Property Act 1877-1988 provides that a caveat under section 98 of the Real Property Act 1861-1988 shall be capable of lapsing unless it has been lodged with the written consent of the registered proprietor of the affected land. A conveyancing practice which has long been established is that, where a registered proprietor wishes to lodge a caveat under section 98 over his own land, no formal consent is required to be endorsed thereon to make such a caveat non-lapsing.

In the Supreme Court in Le Mura v Ocean Downs Pty Ltd (in liquidation) it was held that unless such a caveat had the formal consent of the registered proprietor endorsed thereon it was not non- lapsing. In view of the number of currently registered caveats by registered proprietors that do not have formal consents endorsed thereon, it is proposed that the amendment will protect those caveats which have been lodged in the past in accordance with the then conveyancing practice. However, the decision of the Supreme Court in respect of the above case will not be effected. The amendment will also remove the need for registered proprietors of land who lodge a caveat over their own land under section 98 to formally consent thereto.

Finally, I take the opportunity to thank those persons who have raised the issues which have resulted in the redrafting of the law to more adequately reflect the needs of the community.

The ramifications of the amending legislation are to—

- enable plans of subdivision to be drawn in a more practical manner;
- lower the cost of administration of intestate estates where the deceased held land in his own right or as a tenant in common; and
- overcome difficulties being experienced where registered proprietors have lodged section 98 caveats over their own land.

I commend the Bill to the House.

Debate, on motion of Mr Hobbs, adjourned.

STATE TRANSPORT ACT AND ANOTHER ACT AMENDMENT BILL

Second Reading

Debate resumed from 15 May (see p.1527).

Mr SULLIVAN (Glass House) (5.50 p.m.): I am delighted to support State Transport Act and Another Act Amendment Bill. I am also delighted, if the comments of the member for Cunningham are correct and are any guide, that the Opposition is generally supportive of the Bill. That allows me to keep my comments brief, and I know the House has become accustomed over the years to expect brevity from the member for Glass House.

Mr FitzGerald: I thought you were telling us all you knew.

Mr SULLIVAN: That is an example of time-wasting from the Opposition similar to the time-wasting exercise we went through earlier which delayed the resumption of the debate on this Bill.

This Bill will complete the transfer of responsibility for the provision of school-transport services from the Education Act 1964-1988 to the State Transport Act. It is appropriate that such a transfer from the Minister for Education to the Commissioner for Transport be made. Section 6 of the State Transport Act provides that the Commissioner for Transport and other officers must have regard to the directions of the Minister for Transport. We must therefore be satisfied that this transfer from the Minister for Education to the Commissioner for Transport still places responsibility in a Minister of the Crown.

For the purposes of administering the school transport assistance scheme, the Bill provides for the Commissioner for Transport to be a corporation sole and ensures that, as such, he is capable in law of being sued and suing; compounding or proving in a court of competent jurisdiction all debts and assumes of money due to him; taking, acquiring, holding, letting, leasing, dealing with and disposing of real and personal property; and doing and suffering all such acts and things as body corporates may in law do and suffer. As such, the corporation represents the Crown and its actions are binding on the Crown.

As a new member of Parliament, the month of February came as quite a shock. As the representative of a country seat, I had not realised the problems that would ensue in February as a result of the school transport system. It does not take too many representations from parents, conveyance committees and bus-operators before one realises that the school transport system is a shambles. This Bill introduces a measure of flexibility into the scheme and allows for the introduction of any changes which may be necessary to give effect to any outcome resulting from any review of the system. As a member of an electorate that is badly affected by the existing schoolbus system, I am pleased that the Minister has sought such a review and look forward to his findings.

This Bill also replaces the existing air provisions with a licensing system that is both sensible and workable, but has the same intent as those provisions already in place. Honourable members may be aware that I came into this House with an aviation background and I intend to take a keen interest in aviation matters in this House. The State has a very real responsibility and considerable power in relation to intrastate aviation, although the role played by the State is not of a high profile, except, of course, for a former State Premier's threatening to withdraw intrastate licences from recalcitrant domestic carriers. Part VIII of the Bill will be welcomed by the industry, as it provides for the separation of air provisions from road passenger service licensing provisions around which the existing provisions were formulated.

I support the Bill before the House and look forward to the improvements in transport administration that are provided for in this Bill.

Sitting suspended from 5.54 to 7.30 p.m.

Mr J. N. GOSS (Aspley) (7.30 p.m.): It gives me much pleasure to rise and speak to this Bill, which relates to licensing provisions for the transport industry. Discussions I have had with people involved in the transport industry indicate that most of the provisions will be most welcome. It should be noted that the Bill provides for the formal transfer from the Education Department to the Transport Department of responsibility for school transportation, including bus and taxi services.

Recently, changes occurred in the Transport Department that created considerable problems for the parents of handicapped and disabled children. Initially, I believe that after the transfer of certain responsibilities from the Department of Education had taken place, the Department of Transport did not recognise the sensitivity of the issues with which it would become involved. Another problem was that the contract for school transportation was changed from the Black and White Cab Company Ltd to Yellow Cabs (Qld) Pty Ltd.

Yellow Cabs employ temporary drivers rather than permanent drivers, which of itself created many problems besides the fact that the contract involved a totally new experience for that cab company. Some of the problems were that children were delivered to the wrong schools and were left at the school until after 4 p.m. In some cases, the children had to wait at the school until their parents came after finishing work to pick them up. The experiences were traumatic for those handicapped and disabled children; moreover, when those children had tantrums while they were being transported in the cabs, the relief drivers did not know how to cope.

I am pleased to be able to state now that many of those problems have been resolved. I compliment departmental officers who have worked extremely hard to remedy the situation and I ask the Minister for Transport to convey my compliments to those officers.

The Bill also provides for licences to be issued for rental vehicle fleet operators in lieu of licences being issued to each individual vehicle. Because businesses presently are tied down with red tape and a large number of administrative problems associated with Government regulations, those provisions will effect an improvement. The current system is very awkward and cumbersome.

The new provisions that will enable a licence to be issued to cover the whole fleet are also welcome. The only concern that has been expressed is that rental vehicle operators who have a large number of vehicles in their fleet may have an advantage over smaller operators, due to the exercise of administrative discretion.

The ban on smoking in public passenger vehicles is applauded. Perhaps I may digress a little and say that, as a ban on smoking has been imposed on the public service and in Government buildings, I see no reason why a similar ban could not be imposed in the Strangers' Dining Room.

Mr Beattie: Is that Liberal Party policy? Is that Goss policy—but the wrong Goss, though?

Mr J. N. GOSS: Yes. I cannot afford a cigar.

The Bill contains provisions relating to flights between airports and heliports throughout this State, which will also assist in eliminating red tape. Presently, small operators who are trying to make an honest living in difficult economic conditions are being forced to work longer hours to complete the necessary paperwork, which is taking up an ever-increasing amount of their time. I am pleased to note that the complicated and generally very unsatisfactory system of licensing will be replaced by an improved and more flexible system.

In general terms, the Government is to be congratulated on bringing forward this legislation.

Mrs EDMOND (Mount Coot-tha) (7.36 p.m.): I wish to briefly record my support for the introduction of the State Transport Act and Another Act Amendment Bill, which will assist this Government in its review of transport management strategies in this State. This Bill is aimed at streamlining administration and certain aspects of rental vehicle licensing operations.

As the member for Cunningham so rightly said, the Bill specifically provides for the replacement of a very cumbersome system of exempting certain classes of passengers and/or goods and types of vehicles from the offence provisions under Part VI of the State Transport Act. The new provisions will allow flexibility—which is what this Bill is all about—in order to meet changing transportation needs and the development of new forms of transport.

Clause 9 sets out amendments to section 45 (6) of the principal Act and provides a head of power to the commissioner to make regulations to determine which areas of the transport task should be exempted from the provisions of the Act. It simply allows changes to be made rapidly, subject to approval by the Governor in Council and the

Committee of Subordinate Legislation, to meet variations in the transportation needs of this State.

Many of the subsections being repealed will be reviewed as to their current relevance to the transport industry. Those that are still appropriate will become the subject of regulations to be proposed, I understand, prior to the proclamation of this part of the Bill.

Some types of vehicles that are not currently exempted should be exempted. For example, the current size of a private motor car exempted under section 45 (2) is limited to seven passengers. Obviously, there are many vehicles seating eight or more passengers that are used as family conveyances—not for hire or reward—which need to be covered by the private motor vehicle exemption. As society changes, we must make present systems more flexible to allow for changing transport modes.

The owner of a private hire car licensed under Part III of the Act cannot legally use a vehicle authorised under the licence for private purposes such as Sunday family outings. Provision needs to be made by regulation for such private use in the same way that taxis may now be used privately.

I do not intend to go on at length. The member for Cunningham covered the Bill in detail when he supported it. I strongly support the Bill and look forward to its implementation.

Mr CONNOR (Nerang) (7.39 p.m.): As honourable members know, I represent an electorate on the Gold Coast. The Bill pertains to many people who move from southern States to the Gold Coast and bring with them their vehicles, their interstate registrations and their interstate licences. The State Transport Act has a very interesting way of dealing with people from interstate.

I cite the example of a fellow who comes from a southern State and brings with him a truck with commercial registration and a number of modifications, including a tray on the back. He has a Class 3 licence in New South Wales. The first thing that he does is visit the Main Roads Division, because that is where other people normally register their vehicles. However, he is told that, because his vehicle has been modified, he cannot register his vehicle there and that he cannot obtain a driver's licence because that must be obtained from the Department of Transport. That person then has to go to the office of that body at Upton Street, Bundall, on the Gold Coast. The staff in that office say, "You certainly can have a licence, but you will have to book your vehicle in two or three days in advance." Those people check the vehicle for roadworthiness and say, "Because it has been modified, I am sorry, we do not look after that side of it. You will have to go to an authorising officer." That person then has to go to an authorising officer, who may not be available for a week. If he is lucky, it will only cost him about $80. If the modification is involved, he must obtain engineering plans, even though they have been approved in the southern States.

In Queensland, great problems are encountered in registering vehicles under the State Transport Act. The Main Roads Division should not be looking after motor vehicle registrations. Of course, that division collects the money that is used to finance the construction of roads. However, in other States, the main roads authorities look after purely the maintenance of roads. The Transport Department should administer that side of things. In the last 13 years, I have had a great deal of experience in the transport industry and I have noticed that it contains many anomalies.

I draw the Minister's attention to the history of the car rental industry. Previously, rental licences were issued for each individual rented motor vehicle that people hired from companies such as Avis and Budget. Prior to the issue of those rental licences, hire vehicles did not require a licence but were charged a much heavier third-party insurance. Obviously, that third-party insurance applied to vehicles that were used much more widely than normal private vehicles.

Unfortunately, competition developed between the States as to which State could offer the lowest rate of insurance. The reason for that was that, because of the transient

nature of rental motor vehicles hired out by national operators such as Budget, Hertz and Avis, vehicles could end up in any part of Australia. The rental companies would register the vehicles in the State that charged the cheapest rate of insurance. Queensland decided that it would not attempt to compete with the other States in lowering prices; it imposed a condition that any vehicle being rented in Queensland must have a Queensland rental licence.

That condition causes many problems for vehicles that are transient only within Queensland. The structure of the rental industry is such that a number of franchise-operators own vehicles within Queensland and have licences and registrations within Queensland. However, some corporate operators rent vehicles that travel throughout Australia. Where should those vehicles be registered? I suppose they should be registered in whichever State is appropriate at the time. But, if they are in Queensland only for a short period, where should they be licensed? That is where the anomaly occurs. This Bill caters for that anomaly.

The National Party has much to answer for in the way in which it has administered the transport and main roads legislation over the years. I have complained to people within the bureaucracy about the administration of that legislation. This Bill will add flexibility to the industry.

At present, no rental licence is required interstate. I would like an assurance from the Minister that, as a result of the legislation, the cost of running a rental car in Coolangatta will not be more than it is in Tweed Heads. As honourable members are aware, it is very easy to move one's office across the road. Many operators are operating from Tweed Heads and sending their cars into Queensland.

I would like an assurance from the Minister that when this Bill results in a change to the system and the companies are licensed, the overall cost will not be greater than it is at present. In fact, the bureaucrats have already seen fit to have a quasi-implementation of this Bill. I refer to their averaging the number of vehicles. They regularly carry out inspections to determine the number of vehicles that rental companies have. They know that they will have a certain number of vehicles interstate that will not have Queensland licences. Technically speaking, under the present regulations and the present legislation, those vehicles should all be licensed before they are able to be rented. Of course, they are not, and a system has developed—it is not right—whereby they average the number of vehicles that the companies have. This Bill will certainly provide the flexibility to deal with that.

I support the smoking ban on public transport. Everyone is aware of the dangers of passive smoking, and when people are allowed to smoke on buses, it certainly results in passive smoking by other passengers.

The Queensland Transport Department was also out of kilter with its counterparts in other States in regard to main roads and transport. It is also out of kilter in many other areas. For instance, Queensland has its own system of approvals. Even though a vehicle may have full Federal certification—what is called Australian motor vehicle certification—Queensland, unlike any other State, still maintains the right to say, "We are not going to register that vehicle. We are not going to approve that vehicle for sale." A good example is the new Ford Capri, which does not have a roll bar. If that car was manufactured in Queensland, it would be required by the Transport Department to have a roll bar. That requirement effectively stops a car of that type being manufactured in Queensland. I could cite many other instances.

Queensland has all sorts of draconian regulations about rear-facing seats in station wagons. The Mazda 626 station wagon, for example, has a rear-facing seat. It has to comply with the Australian certification, which means that the seat must comply with the same requirements as a forward-facing seat. However, in Queensland, because a seat faces the rear, it has to be in the vicinity of 10 times stronger than a forward-facing seat. Because these vehicles are coming into Queensland from interstate, the Transport Department has made an ad hoc decision that it will accept them. However, as I said, if these vehicles were made in Queensland, that rear-facing seat would have to be 10

times stronger than a forward-facing seat. That places Queensland modifiers and manufacturers at a disadvantage. Many instances of that can be found.

Unlike any other State, Queensland has its own compliance plates, which are called secondary compliance plates. There is a Federal compliance plate system under which one can spend $30,000 or $40,000 complying with the Federal regulations. One can go down to Canberra and get all the approvals. However, if a vehicle is manufactured in Queensland, one then has to have a Queensland certification as well. The whole testing procedure has to be gone through again. Queensland has additional requirements over and above the Federal requirements, and that is absolutely ludicrous. I urge the Minister to examine that very, very closely because it is stifling Queensland manufacturing to a great extent.

I compliment the Minister on the introduction of this Bill.

Mr FENLON (Greenslopes) (7.50 p.m.): I rise to support the Bill, as it represents yet another step in the much-needed process of reform that has commenced in this Forty-sixth Parliament. It is significant that the Government is moving to regulate the sphere of transportation, as it is part of a great backlog of neglect throughout this and every other portfolio.

This move represents a sound direction in law-making, as it represents a move away from the ad hoc, piecemeal approach and the grandstanding of the past to a far more constructive approach to public administration. It is a move toward the provision of regulations and standards that will anticipate problems and provide for them before they occur. It will provide for clear expectations for business and for service consumers. It will provide for clear understandings as to respective rights and responsibilities. This can only prove to be a healthy move.

The move is particularly healthy in relation to the new clause 16B of the Schedule, which provides for additional capacity to make regulations with respect to smoking in any vehicle. This clause enables the Governor in Council to make regulations pertaining to the banning of the smoking of tobacco and other substances in or on any vehicle or part thereof. This is a highly desirable move to create a greater latitude to deal with a very obnoxious and offensive habit. Lee Kuan Yew would find some good allies in this Chamber.

This Bill can only be good for business as it will, in the long term, serve the interests of legitimate operators, who are there for the long haul. This move is also substantially in the public interest. Better regulation will, in the long term, assist in providing for greater levels of safety by dealing directly with the issues and by providing a better basis for the financial viability of business, which means better long-term operators—the people who mean business.

I support the Bill.

Hon. N. J. HARPER (Auburn) (7.53 p.m.): I am pleased to join other members of the Opposition and, indeed, a cross-section of members of this Parliament in supporting this legislation, which is essentially National Party legislation.

It is unfortunate that the honourable member for Nerang was not a member of this House when the doyen of the Liberal Party, Sir William Knox, had an opportunity to remedy some of his complaints. Members of the Liberal Party now find it convenient to overlook the opportunities that were afforded to them and former members of the parliamentary Liberal Party during their long service in coalition Governments. During question-time this morning, that point was well made by the Premier. Members of the Liberal Party who criticise what the National Party did when it was in Government in its own right should not lose sight of the opportunities which they and their predecessors failed to take.

As I said, this is essentially National Party legislation. In fact, the Opposition Transport spokesman, the member for Cunningham, was a member of the parliamentary committee that started to develop this legislation some time ago.

I do not disagree with sentiments expressed by some members about clause 16B. However, I commend clause 16C relating to "Stop" signs. I understand that, recently, a very unfortunate accident occurred. I do not intend to be specific about that accident, because it could pre-empt action that may be taken, although I am not aware that that is the case. It is important that the power and the means are in place to enable action to be taken against people who do not acknowledge lollipop ladies and fail to stop when those authorised officers exercise the power to stop vehicles by showing a "Stop" sign.

I intend to deal specifically with the conveyance of pupils. I have already written to the Minister about this issue, and I must say that I was given the courtesy of a prompt acknowledgment, which is somewhat rare from some Ministers.

Mr Hamill: You try to run the timetable.

Mr HARPER: Some Ministers do not provide prompt responses to correspondence.

I refer to a specific matter that dates back to when I was a member of the previous National Party Government and when bureaucracy was running wild. The Education Department had total responsibility for school conveyance services. For some time I felt as though I was belting my head against a brick wall. Although the responsibility for those services was given to the Transport Department, I raised this matter again, but to no avail. I have now drawn the matter to the attention of this Minister.

I refer specifically to my electorate, although the issue is relevant to other areas. A school transport operation serves the Aboriginal community at Woorabinda. The road over which that service travels is far from being a main road. Although it is well used, in the main its natural surface is fairly rough in places.

The operator of that school conveyance did not actually tender for that contract. However, he accepted it after being asked to do so. He is now in the invidious position of transporting pupils on a return journey between Woorabinda and Baralaba. The Transport Department is of the view that, with some complementary but meagre assistance, that operator should be paid only for the journey between Woorabinda and Baralaba and return. That would be fine if he lived at Woorabinda. However, because Woorabinda is an Aboriginal community, he lives with his family at Baralaba.

If a competent transport operator who lives in Woorabinda could provide a vehicle of a standard acceptable to the Education and Transport Departments, perhaps one could argue that that operator should be paid only for the return journey. However, that is not the case for the present operator.

I ask the Government to administer the regulations with a degree of flexibility and understanding of the existing circumstances, particularly in the case of children in circumstances such as those to which I have referred, namely, those in the Aboriginal community of Woorabinda. Those children should not be denied the opportunity of secondary or higher education because of difficulties in transporting them to the school at Baralaba. As well, the operator who is prepared to provide that service over those road conditions should not be penalised. He and his wife have convinced me that, when one considers their operating costs, they provide that service for virtually no remuneration.

This morning during question-time, I had hoped to ask the Minister about another matter, but honourable members are aware of the procedures during question-time. I take this opportunity to bring this matter to the attention of the Minister. If by some miracle of the good Lord I have an opportunity tomorrow to ask my question, I will do so without notice and the Minister may then be able to answer it.

The Minister may be aware of an accident that happened yesterday on the Mount Flora road, which is in my electorate, when a schoolbus, which was travelling to collect children from Dingo, overturned after moving on to the road shoulder in order to pass a stock transport vehicle travelling in the opposite direction. Because of road conditions, those of us who represent country electorates are always concerned at the possibility of an accident occurring in similar circumstances.

In the instance to which I have just referred, it is very fortunate that no children were travelling on the schoolbus at the time of the accident. The bus was on its way to Dingo to collect the children to take them to their homes. Unfortunately, the driver, who was a very experienced lady, suffered considerable injury. She is in the Rockhampton Base Hospital, having been flown there by the aerial ambulance.

Bearing in mind the circumstances of this accident and the fact that this developmental road is used extensively by both private vehicles and heavy vehicles of all types including passenger coaches—McCafferty's passenger coaches in particular—and that the Government of which the Minister is a member has apparently indicated that the road will not be upgraded before 1994, which is a long way down the track, I have very serious concerns at advice I have received. I ask the Minister to provide me with details of any approval that has been given to ICI, an international chemical company, or to any other company to transport liquid cyanide on the Mount Flora road over an extended period of time.

I am given to believe—and I think that my belief is very soundly based—that two road tankers will travel from Yarwun to Charters Towers on this road twice daily, seven days a week. That, of course, includes weekends when, quite apart from the vehicles to which I have referred, all sorts of other traffic uses the road. I hope that, if the Minister's department has authorised the movement of liquid cyanide in such quantities so regularly over a period of three or four years, twice a day, seven days a week, then I would expect—and the people in the area should have a right to expect—that, in order to avoid the possibility of a major disaster in the area, the Government would take immediate action to upgrade this road before the movement of those dangerous chemicals is permitted.

I have noticed that other members have complimented the Minister on the legislation. I, too, compliment him on bringing the legislation into the House. Essentially, it is National Party legislation that in the last couple of months has been tuned a little bit. However, it is essentially National Party legislation. We in the Opposition are proud to have been associated with its development.

Mr BEATTIE (Brisbane Central) (8.04 p.m.): Since the introduction of the State Transport Act in 1960, few amendments have been made to it. However, since that time, I think all of us would appreciate that a significant change has occurred in the transport arena. Society has become more complex. The community is more informed and, indeed, is more demanding. That means that the legislation before the House tonight is really part of a streamlining and a modernisation process which the Minister for Transport, in all his areas of responsibility, is presently undertaking. I congratulate the Minister on the progressive attitude he is taking to his portfolio. This Act is part of that review; it is very much the updating process.

I want to deal in general terms with the modernisation to which I referred. Before I do that, I point out that, in common with the member for Greenslopes, I am pleased that we are considering additional regulatory powers which will deal with the banning of smoking on public passenger vehicles. In common with other members of this House, I have been approached by quite a number of taxi-owners and drivers who have expressed concern about their inability to manage smoking in their vehicles. Quite a number of the drivers are non-smokers. Although they have displayed in their vehicles the appropriate signs, they have not had the legal sanction, or the legal back-up, necessary to enforce that. That is one of the matters that I am sure the Minister will be considering. Whether the Minister considers imposing a total ban on smoking in taxis or allows taxis in which smoking is permitted is a matter for his discretion. However, I am pleased that that additional regulatory power is available.

I am also pleased about the progressive view that the Minister is taking to his portfolio in general terms. The South East Queensland Passenger Transport Study, on which he has embarked, looks at the whole area of public transport in south-east Queensland. That study is fundamentally important to a number of members in this House and their constituents. Those members whose seats are in Brisbane, particularly the inner suburbs—and there are a number of people in this Chamber such as my

learned colleague the member for Nundah, who strongly agrees with me on this point—are keen to see a greater emphasis on public transport, because it will mean that not only can something be done about reducing pollution levels, which in recent times have been given a great deal of public airing in the media, but also that we can avoid this choking effect which takes place at peak hour every morning when the cars from the outer suburbs rush into the inner suburbs and choke the very arteries of the city. Because the inner city and the city heart is a limited area, obviously we have to look at long-term strategies to deal with our transport needs and requirements. We cannot continue to choke the inner city in the way we are.

Mr Elliott: Look at Singapore's problem where, unless you have got so many people in a car, you can't come into the city without getting a fine.

Mr BEATTIE: The honourable member has a valid point. I believe that the Minister will be looking at those sorts of things when a review of Public Transport requirements is considered. Quite frankly, the current situation can not be allowed to continue. It is not only pollution and the fact that energy is being wasted, which is the other concern we all have, but it also very directly affects the quality of life of people in my electorate. In some areas, things such as traffic-calming are becoming a matter of reality. There is an increasing public demand for traffic calming, to stop rat running and to stop people destroying the quality of life to which I referred before.

Sensible road-planning is needed. We need the sort of emphasis on public transport that we have now. We have to move away from this idea of simply moving people from the outer suburbs and the Gold Coast areas through the city to the northern suburbs and Sunshine Coast areas. One also needs to get away from the idea of moving people from the Sunshine Coast and outer suburbs through the city to the southern outer suburbs and the Gold Coast. Planning of that nature is desperately needed and that is the way for the future, which means that it will be necessary to avoid the concept of cross-river bridges which has been discussed in the Brisbane City Council's cross-river Brisbane transport study which it did and which, I am pleased to say, with the exception of Hale Street, has been put on hold until the South East Queensland Passenger Transport Study initiated by the Minister is completed.

Mr FitzGerald: You weren't against the Gateway Bridge, surely?

Mr BEATTIE: No, not at all. I take the honourable member's interjection. I am a strong supporter of the Gateway Bridge. I think that that is one of the things that has helped, perhaps in a small way, to alleviate the problem of traffic flow becoming more complex than it has been. However, the Gateway Bridge has not been the solution that many people thought. It has gone part of the way, but it is not the total solution. However, I am a strong supporter of the concept of the Gateway Bridge. But that sort of long-term planning——

Mr Heath: It has not been the success we thought it would be.

Mr BEATTIE: That is right. Again, I take the interjection from the member for Nundah. It has not been the success that we all hoped it would be.

Mr FitzGerald: The traffic flows are up on what the expected levels were?

Mr BEATTIE: Yes, but it has not drawn the traffic away from the inner suburbs as it was hoped it would.

The other problem is that large trucks are still rumbling through residential areas, and it is my constituents in those areas who are concerned about the volume of traffic, not only from the point of view of noise and pollution, but also the associated danger. Those large vehicles passing through areas populated by young families is a further matter of concern to residents.

Members need to consider the problems of public transport and work towards a long-term solution. They need to look at ideas such as the inner-city rail loop that has

been the subject of a submission by my aldermanic colleague, David Hinchliffe, and I to the South-East Queensland Passenger Transport Study.

Mr Hamill: I read it with interest.

Mr BEATTIE: Honourable members can hear that the Minister is clearly impressed by the idea. He read the submission with interest, and was impressed. The Minister will be very supportive of that submission, and I thank him publicly tonight for his support of that inner-city rail loop idea.

Part of the Minister's responsibility includes the former Department of Main Roads. I would urge a word of caution here, too, that when honourable members are looking at changes that are occurring in certain areas they need to be very sensitive about what takes place in the area of housing. The Department of Main Roads resumed certain houses, and when roads or freeways did not proceed, it maintained control of many of them. At present, people look at those houses as a part solution to the desperate housing shortage. The Government must be sensitive to the needs of the community. As I said at the beginning, the community has become more demanding and more aware.

One cannot allow problems such as occurred in Hale Street to recur. The Brisbane City Council resumed houses in that area. However, the council left a number of those houses unused and they have now been taken over by street gangs and, to some extent, homeless children. They are being used as a focal point and an organisational point from which to commit crimes on local businesses and indeed on the local community. That lack of consideration for the local community is unacceptable.

I am saying that one cannot simply resume properties, move the people out, put a road through the area and then ignore the consequences, such as crime, that flow from those actions .

The Minister is doing an excellent job in his Transport portfolio. However, when looking to the future, at modernisation, one needs to deal with the real and honest facts.

During the period when Don Lane was the Minister for Transport, it was a great regret to me to hear him repeatedly argue that Queensland Railways had suddenly made a profit. For some time, I had an involvement with Queensland Railways and I would love to be able to stand here tonight and say——

Mr Hamill: You knew it was false.

Mr BEATTIE: Of course! I am very perceptive. Like the Minister, I knew that Don Lane's claim was false.

However, I would love to stand here tonight and say that going back many years Queensland Railways had made a profit but the blunt reality is that that is not true.

What the former Minister, Don Lane, did was exempt the repayments. He took away the need to maintain the right of way and all the repayments that went with it. Of course, when one juggles the figures and comes up with a nice profit, it looks wonderful, but one is just deluding people.

Mr FitzGerald: Didn't he say "operating profit"?

Mr BEATTIE: No, he did not.

Mr FitzGerald interjected.

Mr BEATTIE: No. I looked at that very carefully because the honourable member knows that I have an interest in rail. Mr Lane misrepresented the position.

The problem I am alluding to is that this House has to deal with the real world, and when one compares road transport with rail transport, it is a false comparison when one realises that rail has to pay for the maintenance of the right of way, the track, which is not the case with road transport. So, when honourable members are making the

comparison which people often do, as my learned colleague from Salisbury would do because he has an interest in this area, he would——

Mr FitzGerald interjected.

Mr BEATTIE: No.

The honourable member for Salisbury would appreciate, as I do, that one has to make a realistic comparison, because Queensland is now at the turning point in terms of transport and associated matters.

I am keen to see the railways go ahead, but I believe that it should be done on a factual, informed basis.

I look forward to future Bills coming from this Minister, because I know that when public transport is significantly improved, when an inner-city rail loop has been established, when pollution is down and the quality of life of my constituents in the inner suburbs is protected, David Hamill will become a legend in this State.

Mrs McCAULEY (Callide) (8.14 p.m.): I welcome this legislation that is, as the member for Auburn said, essentially National Party legislation. I particularly welcome the change of responsibility for school transport from the Education Department to the Department of Transport. That is certainly a step in the right direction.

The previous Government went a long way down the road of addressing the important area of the roadworthiness and the safety of the vehicles used to transport children to school.

I am pleased to see that the Minister has set up the school transport industry working group. That group will receive much correspondence from people throughout Queensland who have children attending school by bus. In the light of recent bus crashes such as occurred at Grafton, since Christmas people have contacted me expressing concern over the condition of the buses used to transport their children to attend school. The school transport industry working group is charged with the task of identifying specific areas of concern, and it will maintain an ongoing forum to help administer this scheme. I will be watching very carefully to ensure that it does so, because it is an excellent idea.

My greatest concern with schoolbuses, and it is a concern that has been expressed to me by parents from the Gracemere end of my electorate, from the Rosedale end of my electorate, and from the Boyne Island and Calliope areas, is with overcrowding. I firmly believe that the policy of the Transport Department which allows buses to carry, over distances less than 30 kilometres, 50 per cent more secondary students than there are seats in a bus is a disaster waiting to happen. If there were an accident we, in this House, would be facing a far more distressing motion of condolence than the motion we debated yesterday. That situation should be urgently redressed.

Many secondary schoolstudents are as large as adults. It is not correct to say that a high-schooler is a child, because many of them are as big as adults. If buses with 60 seats are permitted to carry 90 high-school students, in the event of an accident, many lives would be lost. That would be dreadful. It concerns me because, in my electorate, buses carry more than 90 or 100 students at more than 100 kilometres an hour along appalling roads. This is something that parents, only recently, have started jumping up and down about because, if they do not express their concerns vocally, nothing will be done to overcome the problem.

I was interested to read in a recent report prepared for the Queensland Council of Parents and Citizens Association that a child has a 1 in 56 chance of being killed or injured in schoolday travel. Whilst it does not state specifically the number of children killed or injured on schoolbuses, it points out that two of the four who are killed or injured each day are vehicle passengers. That is a rather horrifying statistic.

Mr Hamill: Private vehicles.

Mrs McCAULEY: It did not mention schoolbuses, so I was uncertain.

I should also like the Minister to consider legislation to require seat belts to be installed in schoolbuses. I read an article in a traffic safety magazine, which dealt with the matter of seat belts in schoolbuses in New York State. In part, it reads—

". . . when students are buckled up, misconduct decreases. With better behaviour, there will be fewer accidents caused by driver distraction."

It also found that statistics show that—

". . . most school bus injuries occur inside the bus. These injuries occur not only in collisions and rollovers, but also during sudden stops and turns and while pupils are hanging out of windows.

There is clear evidence that seat belts will hold passengers in seats during stops, turns, and evasive maneuvers. Children belted in place will have difficulty sticking their heads and arms out of windows or walking about."

We all know what kids are like, and I guess that that is the sort of thing they are prone to do if they are not strongly disciplined or belted in. The article also reports—

"The larger the vehicle, the better passengers are protected, by any type of restraint."

I think that that is important. The statistics from New York State showed—

". . . that 81 per cent of the unbelted passengers suffered injuries in rollover accidents, no injuries at all occurred to belted pupils in a moderately severe rollover accident . . ."

That must be considered. I know that the cost may be prohibitive, but I do not know that a cost can be put on the safety of our children.

It is also important that consideration be given to increased income for bus-operators. This is long overdue. Many schoolbus-operators are literally hanging on like grim death and are losing money on their runs. The bus industry relies on school transport for a significant part of its income, but the reverse applies as well. The Transport Department would be rather embarrassed if schoolbus-operators had to withdraw their labour because they were not getting enough money. That is another area that needs to be looked at.

On the whole, I applaud the legislation.

Mr ROWELL (Hinchinbrook) (8.19 p.m.): I support the Bill, which is long overdue. As many honourable members have said, it was due for implementation prior to the election.

One matter that is extremely important in the northern area is the rail system which could carry a tremendous quantity of freight— certainly more than it is carrying at present—especially with the prospect of electrification of the system. During the wet period, the roads are flat out maintaining their trafficability.

Mr Ardill: Particularly in Hinchinbrook.

Mr ROWELL: The honourable member is correct. I am pleased that he mentioned the Hinchinbrook electorate. He knows where it is.

Mr Ardill: Once you get to Mourilyan, the roads are in good shape.

Mr ROWELL: Yes. That is very good.

Mr Ardill: I have more than a general idea. I was up there recently.

Mr ROWELL: Good. He is a well-versed man and, by the sound of things, he knows what the State is all about.

The transport system throughout the State could be enhanced by a better rail system. The northern area is very dependent on the movement of products and any improvement in the system would be great.

I would now like to speak about rural transport for children. About three weeks ago, the Minister was in the Ingham region and a very comprehensive submission was put to him by the parents of children who use the schoolbus runs. I am sure the submission was very well received by the Minister. It explained that there are a number of problems with the bus runs, the main one being the overloading of buses on rural and main roads. It is very dangerous for children to stand in a bus that is travelling at 100 kilometres an hour. I am sure the Minister took that fact on board.

Because of the nature of these runs, the buses are used for probably only four hours a day, so the bus-operators have difficulty in maintaining vehicles in a condition suitable to pass the necessary tests for their use. The possible reorganisation of runs could be the answer to the problem in the Hinchinbrook electorate, because a number of those runs extend over 50 kilometres to areas out at Abergowrie, Mutarnee and Hawkins Creek, which is some distance from Ingham. A return trip on those runs takes approximately two hours. Limitations are placed on children travelling on the buses, such as distance and age. After children reach the age of 10 they are denied the right to bus transport assistance until they reach high-school age.

Mr Pearce: How did those policies get in place?

Mr ROWELL: I am simply saying that they need to be looked at and changed. The honourable member is part of the Government.

There are a number of Catholic private schools in the region and children attending those schools are seeking transport assistance. It is great that this Bill has come before the House and that there will be a revision of transport systems.

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (8.25 p.m.), in reply: A number of common elements have been raised by honourable members during this debate, one of which involves school transport, and I will make some general comments about that.

I am pleased with the general support in the House for the measures contained in this Bill. These measures have been bandied around for some time, as has been suggested by some of the speakers opposite. The fact is that they have only now come to fruition in this legislation. I am pleased that the merit of these measures has been recognised by members on both sides of the House.

Some of the propositions put forward by several members are perhaps a little wide of the mark. I refer to some of the comments made by the honourable member for Nerang, who seems to have been caught in a time warp in respect to his understanding of the operations of my department. For his information, I point out that the Main Roads Department as a separate entity no longer exists. The Main Roads Division and other divisions of the Department of Transport execute the tasks which were formerly undertaken by the separate Main Roads Department. This integrated Department of Transport is in a better position to address the issues which obviously have been of concern to the honourable member for Nerang for some time. Certainly, it has been the policy of this Government to place the various areas pertaining to transport policy under the umbrella of an integrated department, and that is exactly what it has done. The regulatory functions that formerly were exercised by the old Department of Transport are no longer operating quite separately and independently of the vehicle registration functions, which were the responsibility of the old Main Roads Department. The portfolio arrangements of the previous Government always struck me as something of a nonsense. The former Commissioner of Main Roads was able to boast that he was also the Commissioner for Racing, and the Department of Transport was linked with the Department of Ethnic Affairs. Also, there was the famous fresh and salt-water Ministry which was under the charge of the honourable member for Balonne. This Government has drawn together the common transport functions and put them into a workable, coherent and integrated structure. Transport policy in the State of Queensland will be all the better for that important development, and certainly one that industry in Queensland has widely acclaimed.

Other issues raised by honourable members are worthy of note. One concerned the regulation of smoking in public transport vehicles. The honourable member for Aspley mentioned his desire to cast out smokers from other places as well as public transport. As a sinus and hay fever sufferer, I sympathise with his sentiments. It is a serious matter, particularly as it relates to the taxi industry. For some time now, great encouragement has been given to the taxi industry to upgrade taxi fleets by the introduction of air-conditioned vehicles. Smoking and air-conditioning do not sit well together. The industry would welcome efforts to stop smoking in air-conditioned vehicles for the benefit of both driver and passenger. I believe that that measure will be widely accepted by the travelling public as well.

Other measures contained in this legislation go towards streamlining regulations concerning the road transport industry. These measures have received the support of all members in the House and certainly the vehicle hire industry will welcome the fleet licensing measures contained in the legislation.

The honourable member for Auburn referred particularly to the operation of schoolbus services and heavy vehicles travelling on roads that are not designed to cater for heavy-vehicle traffic. I will not go into these measures specifically now, but I would be pleased to correspond with the honourable member on these important issues.

I wish to make particular mention of the comments made by the honourable member for Brisbane Central and the honourable member for Hinchinbrook about road and rail matters. Those honourable members have perhaps taken some liberties with the State Transport Act and Another Act Amendment Bill by travelling some distance from its subject matter and discussing railway matters. However, I assure them that the Queensland Government will give appropriate support to this State's rail system. The railways have a very important role to play and the capacity to take a far greater share of the freight-movement burden in this State than has been the case in recent years. The Queensland Government is committed to a range of reforms, both financial and organisational, to effect that important goal.

The other major issue of concern touched upon by a number of speakers, including the members for Glass House, Callide and Auburn, was the very important issue of school transport. A number of honourable members would recall that in late April I announced a review of school transportation arrangements in this State, and that gave rise to a very important issue.

School transport arrangements in this State cost the Government $65m a year, which is a very substantial sum of money indeed—a fact to which I am sure the Honourable Minister for Environment and Heritage would attest. No doubt he would be delighted to have $65m to spend on important projects associated with his portfolio. It is therefore important for members of the public to know that school transport arrangements are soundly based and that assistance is being provided for those who need it.

A number of issues that have been raised in the debate this evening touch on the fundamentals of the school transportation system. For example, the rate of return to operators is significant, bearing in mind that many operators are finding it difficult to make ends meet.

Mr FitzGerald: I have plenty of them in my electorate. They are really having trouble.

Mr HAMILL: I accept what is said by the honourable member and point out that that is not a new development. That has been a running sore that has been left unattended for a long time. This issue also touches on the capacity of operators to provide an adequate and safe service.

Mr FitzGerald: But you will fix it all up?

Mr HAMILL: Firstly, I will fix up the member for Lockyer.

Matters such as overcrowding in buses are also relevant to the question of remuneration. If I were to go to many of the operators and say, "What about putting on another bus to cope with the numbers of children who are now standing while they travel in the bus?", the operator would say, "I am barely able to make a bob by operating only a single bus." The Government will have to come to terms with the issue of adequate remuneration, and consideration of those issues will become even more pressing because of the vehicle replacement policy that applies to schoolbuses.

Many people who have been unable to eke out a decent living as schoolbus-operators are being confronted with the prospect of replacing their vehicles, many of which have been in service for a long time. I do not have any trouble accepting a policy that demands that vehicles used for school transport—or indeed vehicles used for private transport—should be kept in a satisfactory mechanical condition to ensure that they are a safe means of conveyance for passengers. However, the financial responsibilities for many operators are grinding. There are two sides to the school transportation equation: on one side, there is the passenger; on the other side, there is the operator. As a Government, we have a responsibility to ensure that the best possible arrangements are put in place to ensure (a) that a service is provided, and (b) that the service is cost-effective and meets the needs of the community.

I believe that many Queenslanders would agree that a review of school transport operations is long overdue. The previous administration allowed continuation of a school transportation system that is full of inequities—a system is both costly to the taxpayer and difficult to administer. School transportation services can be compared to Topsy because in the 1940s when they were introduced, the aim was to provide all Queensland children with access to the State's education system. The transportation system was administered by the Department of Education but, over several decades, the scheme developed in an ad hoc manner. In a number of areas, the fundamental objectives of the system have disappeared.

Presently, the system is characterised by a mish mash of rules and regulations that many parents are finding difficult to understand. Government departments—irrespective of whether it was the Department of Transport or the Department of Education—have found it very difficult to properly administer the system. More importantly, I suggest to honourable members that the range of rules and regulations that currently apply makes the system unfair. Let me give honourable members a number of examples of the inequities that exist.

Students who are considered to be eligible for assistance under this scheme can travel completely free to school. In most cases, they are provided with special transport arrangements. However, the group that obtains full benefit—that is, transportation at no cost to them—constitute only 20 per cent of the school population in this State. The overwhelming majority of students have to pay their own way to school and, moreover, they have to pay the full cost of the transport.

Eligibility for school transport in Queensland depends on very arbitrary criteria. Under present arrangements that apply to schoolbus services, secondary schoolstudents are eligible to receive assistance if they reside more than 4.8 kilometres from the school from which the transport service operates. This can, and does, lead to a ludicrous situation because a student who lives 4.7 kilometres from the school receives no assistance whereas a student who lives 4.9 kilometres from the school receives travel free of cost.

Mr FitzGerald: You are going to charge the lot.

Mr HAMILL: I might add also that it does not matter that those two children catch the bus from the same stop because eligibility is based on the location of their residence. It is little wonder that parents find the present system very frustrating. Indeed, many parents who live in the Lockyer electorate have written to me and complained about that very problem. Because they live just outside the eligible distance, they do not receive assistance whereas their neighbours, who live a few hundred metres farther from the school, are able to obtain transportation for their student children on a totally

free basis. To make matters worse, parents are unable to receive assurances that their children will remain eligible for free transport.

Perhaps the most common anomalous situation can be illustrated by the example of primary schoolstudents who are under the age of 10 years and who receive assistance, provided that they live more than 3.6 kilometres from the nearest school. However, as soon as they reach 10 years of age—irrespective of the fact that they are still at primary school—they receive no assistance whatsoever. Parents ask me, "Why is it that one of my primary schoolchildren receives full assistance whereas my other child, who also attends primary school, does not receive any assistance?" It is also true that no assistance is provided for those children until they commence high school. Those anomalies cause further complications.

Even more confusing for parents are the inconsistencies that exist not merely among bus services but between bus services and rail services. The eligibility criteria for rail are totally different from those applying to road transportation. It must be realised, of course, that many people who live in the country have no option except to use road transport because no rail commuter services are available.

Examples of inequities are not confined to student assistance, because inconsistencies can be found in subsidies that are provided to the operators. I said earlier that the school transportation system can be viewed from two perspectives; that is, issues that affect families and passengers, and issues that affect the viability of the operators. The present scheme provides that a higher limit applies to the rate of subsidy that is paid to licensed and—in general—urban-based operators compared with the rural kilometre based operators. I can cite an example mentioned by the member for Auburn that involves a kilometre-based service. Apparently, the operator is having difficulty in making ends meet. Operators who are transporting students over longer distances are, in many cases, penalised because they are being paid a lower rate than the rate that is being paid to their urban counterparts. That hardly makes sense when logic should dictate that rural children have the greatest needs of all schoolchildren when it comes to getting to the nearest school.

They are the sorts of inequities and inconsistencies that exist, but they are not the only problems with the system. Of equal significance is the increasing financial burden that the scheme has placed on Government resources. In the last few years, the costs of operating the scheme have escalated significantly. Over the five years to 1988, the increase in average annual costs was more than 12 per cent. That figure is even higher for individual modes of transport. For example, licensed bus service costs rose by 15 per cent, while rail costs rose at an even faster rate, at 21 per cent. Unlike its predecessors, this Government has recognised that quick action is needed to bring the school transport system under control.

In the interests of the community—the students, the parents, the bus-operators and the Government and its departments as the administrators—it is necessary that the system be overhauled so that it clearly defines the objectives of school transport and provides that transport more effectively, making sure that the assistance goes to the areas that most need it. That would be a fairer system all round.

That is precisely why I initiated my current departmental review of the school transport arrangements. The review's aim is to develop a system that will improve equity and efficiency while containing costs and treat each mode of transport equally. At the same time, it will take into account the particular needs of metropolitan, regional and rural areas.

The final report of that review is due very shortly. As I have stated previously here and elsewhere, my aim is to have a new school transport system up and running by the beginning of the next school year in 1991. Already we have taken the decision to do away with the preposterous $52 a year ticket that was announced by the former Transport Minister simultaneously with the announcement of the last State election. It was grossly inequitable. The number of complaints that came to me from the country areas of Queensland, claiming that it was seen to be even more inequitable because there was

no similar rail system to be availed upon in those areas, generated quite a considerable mailbag, indeed.

Of course, with any review and change, different systems and different financial arrangements will have to be put in place. However, I assure the House that no scheme will be implemented until there has been a full consultation with the various interest groups such as the State schools, the non-Government sector and the transport-providers. If we are to bring greater equity to the system, it must be equity all round, which includes rural operators as well as urban operators.

I thank honourable members for their support for the Bill. In the near future, I will be pleased to report back on the outcome of that important review of school transport operations, now that it will be formally transferred by legislation to the Department of Transport.

Motion agreed to.

Committee

Hon. D. J. Hamill (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) in charge of the Bill.

Clauses 1 to 21, as read, agreed to.

Clause 22—

Mr ELLIOTT (8.43 p.m.): I welcome the suggestion by the Minister that we will see a new school transport system operating by the commencement of the 1991 school year. All members who spoke in the second-reading debate expressed concerns about anomalies that exist between State schools and non-Government schools.

The member for Glass House mentioned that the system was a shambles. It is easy to stand up in this place, as the member for Nerang did, and throw stones.

Mr FitzGerald: People in glasshouses should not throw stones.

Mr ELLIOTT: The honourable member took the words out of my mouth. He is a little too sharp for me tonight.

Mr Beattie: Did you write that line for him?

Mr ELLIOTT: No.

It is easy to be critical in this place. There is no more difficult sphere of administration than the administration of the school transport system. Government members may not have had much experience in organising schoolbuses in the bush. However, they are about to enter a fast learning curve. It will make the J-curve look like a Z-curve. It will not be easy.

I welcome the provisions that the Minister outlined. However, I was not certain whether or not he was at cross-purposes on one point. In relation to support, I understood him to say that in places that have no transport system and the assistance is in a monetary form, children who are 10 years of age or older receive that assistance. Or is he referring to the school conveyance committees that employ an official schoolbus to pick up children attending preschool through to high school? As most people would be aware, most of those buses would pick up primary school kids and high-school kids. They would take the high-school kids to the primary school and, in most cases, another bus would then take them on to the high school.

I think that there is a need for honourable members to get quite clear in their minds what they are talking about here tonight. Most aspects of the Bill have been well and truly covered, and there has been general support for what the Government is trying to do. This Bill is modernising legislation; it is streamlining legislation. It has really been a very worthwhile exercise. However, the matter of schoolbus transport is where the knobs are. It needs to be looked at very keenly and very critically.

What the Opposition would like to know is just exactly what the Minister is saying. Is he going to impose a charge for that service? That is what has happened in some other places. The Minister is going around in circles and saying that some people are not being charged while others are being charged. I understand that there are anomalies. However, if everybody is going to be charged under this conveyance system for getting kids to school when they have no other way of getting there, I think the Minister ought to come clean and say so now.

Mr HAMILL: In response to the honourable member for Cunningham—I will clarify the point that I was making. I was referring particularly to the existing arrangements in regard to bus services. Currently, if a child who is under the age of 10 is more than 3.2 kilometres away from the nearest State primary school, that child gets free bus travel to the nearest State school. If that child was living, say, 3.8 kilometres away from school, once that child turns 10, that child currently receives no assistance whatsoever because the existing arrangements apply in relation to primary school students up to the age of 10. The parent is perplexed and asks, "Why is it that my child in Year 6 has to pay the full fare, whereas my child in Year 3 does not and gets free travel?" A child who is in Year 8 and who lives more than 4.8 kilometres from the nearest State high school is given free transport. It is very confusing for families.

As I have outlined, the object of the review is to bring about greater equity in the system, to establish a system whereby those very arbitrary limits can be removed. I am not prejudging the outcome. If I was doing that, there would be no point in having a detailed investigation. There is a need to examine not only the limitations as they apply to children and how they affect their families but also the viability of the operators. It is all very well to say, "We should have more buses operating", but what if operators who are prepared to operate them cannot be found? What if operators cannot afford to continue operating?

The suggestion has been made that the Government call open tenders in different areas. That is one option that has been put forward in discussions in which I have been taken part. I suggest that, given the existing rates that are payable for the conveyance of students, that may not work terribly well because there probably would not be a great rush of people who wish to tender.

I do not want to close the door on any option. However, I am saying—and this is exactly what I have said to the School Transport Association, the Catholic Education Office, the QCPCA and all the other interested groups such as parents and operators—that if people have issues that they want to put forward for consideration in the review of school transport arrangements, my ears are open. I wish to hear them. I trust that the outcome will be a better system for the community as a whole.

Mr BOOTH: I want to pursue the matter of the 10-year age barrier. Many schoolbuses operate in my area, and I have never seen a child put off a bus because he was over 10 years of age. I have also never heard of anybody receiving an account. I do not think that the Minister is quite clear on this. I repeat that I have never heard of people receiving accounts or of children being put off buses because they were over the age of 10 years, and I have had a fair bit of experience in this matter. I was chairman of a schoolbus committee for a number of years.

Mr HAMILL: I can give the honourable member for Warwick a very clear example of parents who were receiving free transport for their children and who suddenly found themselves having to pay $15 a week for it. My office has received correspondence in relation to such matters.

The CHAIRMAN: Order! There is too much audible conversation in the Chamber.

Mr HAMILL: The fundamental point is that there are anomalies in the system. Parents find that difficult to understand and the department finds it difficult to administer. Many operators are finding it difficult to make ends meet, while other operators, who

are operating under different arrangements, are finding it quite comfortable. In my view, there ought to be a simpler way, and that is the avenue that I am currently exploring.

Clause 22, as read, agreed to.

Clauses 23 to 26, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

RAILWAY PROPOSAL

Ensham Mine Spur Line

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (8.53 p.m.): I move—

> "That Mr Speaker do now leave the chair and the House resolve itself into a Committee of the Whole to consider the following resolution—
>
> > 'That the House approves of the plans, section and book of reference for construction of the proposed new rail spur to the proposed Ensham mine near Emerald.' "

Motion agreed to.

Committee

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (8.54 p.m.): I move—

> "That the House approves of the plans, section and book of reference for construction of the proposed new rail spur to the proposed Ensham mine near Emerald."

With the commencement in January this year of the railing of coal from the new Ebenezer mine west of Ipswich, a new era of expansion in the Queensland export coal industry is now upon us. The degree of optimism over future export sales is evident in the industry, especially regarding the anticipated increase in world demand for thermal coal. Many existing producers are expected to take advantage of new work practices to maximise their output and increase sales in line with market demand at the higher prices that are now being offered. Considerable potential exists for increased production from existing mines and new developments that are scheduled for commitment by mining companies.

Existing mines that are currently expanding or are looking to expand production include the Blair Athol mine, the Utah/BHP mines of Goonyella, Peak Downs, Saraji and Norwich Park, the German Creek mine and the Curragh mine. Production at each of those mines is at an all-time high and is expected to go higher.

New mine developments that are currently reaching operational stage or planning to commence in the near future include Jellinbah East, North Goonyella, Gordonstone, Clermont and, of course, the proposed Ensham mine near Emerald. Those developments are welcome news to this State and are enthusiastically welcomed and encouraged by this Government.

The benefits that those developments will bring to the State are significant. The mines and associated infrastructure developments, including the construction and operation of new railways to service the mines, will bring increased employment—both direct and indirect—to the central Queensland region.

This Government is committed to regional development and to initiatives which improve the opportunities that are available to regional communities for the enhancement

of their local economic and social infrastructure. One needs only to look at the new towns of Blackwater, Moranbah, Dysart and Middlemount—not to mention the existing central Queensland towns of Clermont and Emerald—to see the positive benefits that have been brought to those regions by the various mine and associated railway developments.

Even after the mines have been exhausted of saleable coal and have closed down, the existence of a very efficient land transport system in the form of modern railway facilities and improved highway and road networks will continue to service the needs of those areas of central Queensland for a long time into the future. That is one of the most significant benefits that the coal-mining industry will bring to the State of Queensland in the long term.

Development of the proposed new Ensham mine and associated railway facilities will be a tremendous boost to the economy of the Emerald and Blackwater regions and will strengthen further the Queensland economy and enhance the attractiveness of this State to major resource-developers and investors.

The Ensham authority to prospect is situated between Emerald and Comet, which is about 220 kilometres west of Rockhampton. Estimated in situ reserves of open-cut, mineable coal are over 200 million tonnes. Extensive underground reserves also occur within the authority to prospect.

The mine development program envisages the first coal being railed via the new spur line in mid-1991. At full production, it is expected that 3.6 million tonnes of coal per annum will be transported from the mine over the new spur line and thence via the existing Blackwater rail system to the export port of Clinton at Gladstone.

The new spur line of approximately 15 kilometres in length, including a balloon loop at the mine, will connect the mine site with the existing Gregory line and will be funded by the mining company. In addition, the freight rate that is currently being finalised will make provision for funding of the required rolling stock purchases, as well as various necessary railway upgrading works. Those upgrading works will provide for the immediate and long-term enhancement of the track maintenance capacity and the haulage efficiency of central line rail operations.

The injection into the economy of approximately $45m for those railway upgrading works, as well as approximately $68m for the purchase of 11 new electric locomotives and 251 new bottom dump coal wagons, will bring tangible benefits to all Queenslanders.

This Government believes that the quality of life for all Queenslanders will be enhanced by a safe, efficient transport system that services our State's economic and social needs. The development of the economic and social infrastructure through State Government activity encompasses the provision of a variety of services, such as education, health and police. However, the provision of an effective transport system is fundamental to the success of any regional policy and, in turn, to economic management in general.

The haulage of vast quantities of export coal to central Queensland ports using modern electric locomotives has proven itself as a fast and efficient means of transportation. Queensland's heavy haul operations rank with the best in the world. The extension of those operations to Ensham will further enhance the role that rail transport is playing in the development of this State.

I commend this proposal to the Committee.

Mr FITZGERALD (Lockyer) (8.58 p.m.): I join in this debate about the extension of the railway line to facilitate the opening of the Ensham mine in central Queensland. As the Minister said, it is a relatively small spur line that is to be added to the existing rail network of Queensland. I understand that it entails only 15 kilometres of track off the Gregory line.

It is notable that coal will be transported to the port of Clinton at Gladstone from where it will be exported. It is important that the rail network is connected so that, if future developments occur and something goes wrong, the transport of coal can proceed

through Dalrymple Bay. It is important also that the whole rail network is coordinated so that coal can be transported from several mines and loaded at various facilities to enable blending to occur if commercial arrangements are made along those lines.

The Minister outlined that 11 new electric locomotives of 109.8 tonnes each will be purchased. He mentioned also that 251 new bottom dump coal wagons will be purchased. I question that figure, because I am not sure if 11 locomotives would haul only 251 wagons. If those are the Minister's figures, I will take his word for that. However, that does not seem to be many wagons for 11 locomotives.

Mr Elder: Heavy metal.

Mr FITZGERALD: They must be very heavy wagons. I will leave that matter with the Minister so that he can consult his advisers and mention it during his reply.

I understand that the cost of the construction of the railway line and the resumptions is $16.55m. It is not a small cost to extend a railway line by 15 kilometres.

Land will be resumed from the Nixon family partnership and the Acton family partnership, who are property-owners in the area. I think one of the families loses 33.56 hectares and the other 31.72 hectares. The construction will impact upon those land-owners. Those people who operate farms in mining areas in central Queensland have had to learn to live with this very important industry. I would say that, by and large, it has impacted quite well upon the area.

I can remember that when I was a young 19-year old I went to the Peak Downs area in central Queensland and obtained employment sewing up bags of wheat. Who would have realised, after a couple of seasons doing that, that the whole area would have been converted to open-cut mines? In those days, it was a very lonely area, a long way out of town. Like any strapping young farmer of that age, I worked hard from morning to night. During that period, I came to know the area.

Opposition members interjected.

Mr FITZGERALD: At that time that area epitomised the failure of the farming of land under a socialist system. There was the Peak Downs corporation and there was talk about the socialisation of the use of that land. Honourable members opposite should not forget that. That system was introduced by a Labor Government in Queensland. I am sorry, Mr Temporary Chairman, that honourable members opposite are baiting me a little bit. I am afraid that they are refreshing my memory about the great failures that occurred under the socialisation of the use of the land in that area. Now private enterprise is operating in that area. I am glad to see that the Government has moved along in the way that it has.

The mining industry now has what is considered to be a window of opportunity——

Mr Schwarten interjected.

Mr FITZGERALD: If the member for Rockhampton North wishes to make a speech later, he will have to put his name on the list of speakers, because I cannot listen to him and speak at the same time.

The mining industry is now presented with a window of opportunity to enter the export market and to significantly expand the Queensland industry. My information is that about 20 million tonnes of steaming coal is being exported a year. That coal is worth about $886m. By 1995, that figure is expected to rise to about 53.6 million tonnes. That is a massive increase.

The planning of this new mine has been undertaken for some time. I welcome the opening of the mine. I can understand this Government's frustration with the consortium, when its authority to prospect expired. The Government was absolutely desperate to get a new mine off the ground. However, I can assure this Government that the previous Government also realised that there were some problems with regard to the consortium.

The only matter on which I am really critical of the Government is the fact that it has created a lot of doubt for Australian miners who entered into consortium arrangements with overseas companies. The Australian miners have doubts about their future and whether the Government will stand up for the Australianisation of Australia's mining industry, particularly the coal industry. I call upon the Government to state clearly that within five years it will be pushing for the Australianisation of the Ensham mine. The consortium that is operating the mine will not receive a return on its capital within five years, but the Government should insist that, within five years, there is Australian equity in the mine. I think it is fair and reasonable that we in Australia should have, if possible, Australians operating these mines.

The Opposition supports the opening of the mine, but it shares the concerns that the other Australian companies that are operating on authorities to prospect at this time have. Quite frankly, the Government went to the people with a policy that stated quite clearly that it wanted 50 per cent Australian equity in resource development. That is my policy. I have heard from the other side of the House that the Government will table its policy and that everyone knows what it is. Quite clearly, none of the Ministers opposite knows exactly what that policy is.

If an island off a Labor member's electorate was involved, that island would not be controlled by foreign interests. If it happens to be the resources of this nation, the Government does not mind if 100 per cent goes into foreign hands.

The hypocrisy is that, prior to the election, the Labor Party presented to the people of Queensland a policy which stated that a Labor Government would insist upon 50 per cent participation by an Australian company. The Government has not lived up to that policy; that is all there is to it.

The other companies now operating on authorities to prospect really want to know whether the Government will interfere in the internal corporate structures. I know that when companies form a consortium they must have the trust of their partners. Most of them have arrangements about what will happen if their partnership falls over, say, because of indebtedness. I cite as an example the Bond Corporation's interests in coal-mining. I think it had an interest in at least two or possibly three mines in central Queensland. The partners in that consortium had the right to buy the other partners out because they could not meet their commitments to the corporation. That is fair and reasonable.

Press reports indicate that quite a shock has been sent through the industry by the Government's taking this action. It behoves this Government to state clearly to the mining industry throughout Australia—particularly to those interests operating in Queensland—exactly what its policies are. We all want to know the ground rules. If an arrangement cannot be reached with a foreign company, which may want to start an export business but whose Australian partner cannot do so, we want to know what options are open. Are they allowed to go back to the drawing board? I realise that the company involved in this consortium that operates the Ensham mine had some pressure put on it not only by this Government but also by previous Governments. There is no doubt that pressure was put on the company either to get going or to lose the ATP. I can understand the Government's frustration.

Queensland now has a couple of mines that are owned totally by foreign companies. The Minister, who has the carriage of this motion before the Committee, is well aware of the Ebenezer mine in his own electorate that is owned 100 per cent by Idemitsu. I understand that that mine has been performing quite well. However, I am concerned that foreign companies have total control of this State's assets.

Mr Hamill: It is lack of equity capital.

Mr FITZGERALD: Yes, it is an indictment of the Federal Labor Government, with its high interest rates.

Government members interjected.

Mr FITZGERALD: What is the main reason why Australian venture capital is not involved in this project? I can tell honourable members that it is the high interest rates. Honourable members know that Button, Walsh, Keating and Hawke cannot sort out the problem. Honourable members cannot tell me that at this time Australia does not have a slight problem with its financial management. I thank the Minister very much for the interjection.

Mr Beattie interjected.

Mr FITZGERALD: Yes. Next time, when the National Party goes to the people it will be putting forward policies to which it will adhere.

I can tell the members opposite that although they are now the Government of this State, they have not yet woken up to it. The Government has reneged on its pre-election commitments and at present there is a lot of confusion about its policy on foreign participation in any future project. It is up to this Government to lay its cards on the table. I am looking forward to its policy being tabled in this House so that Queenslanders will know exactly where it.

At present, somebody will mouth off and say, "We will look at each matter on an individual basis and whether it is for the good of Queensland." That is a reasonable and open-ended policy. However, it completely contradicts the policy espoused before the election by members of the Labor Party from one end of Queensland to the other. Because of that policy, the people of Queensland had confidence in the Labor Party. They elected sufficient Labor Party members to control the Treasury benches, but now this Government says it does not have a policy on foreign ownership.

I assure this Government that all the mining companies that are operating in Queensland want to know what is this Government's policy on foreign ownership.

The Opposition supports the opening of the Ensham mine. The previous Government worked towards it. The Opposition supports the opening of further mines. Those companies that are already operating mines are a little bit dirty on this Government about opening a new mine because they wanted to expand their own mines and they did not want more companies operating in the market.

Mr Beattie: What would you have done?

Mr FITZGERALD: I have already told the honourable member that. The previous Government wanted to get this mine off the ground. I have indicated clearly that the previous Government wished to have it up and running. However, the Opposition is disappointed that there has been no commitment to Australianise the consortium. I am asking this Government to Australianise it within five years.

Not one statement has been issued on this matter in this House, and I cannot glean any information from any of the media reports that I have perused.

Mrs EDMOND (Mount Coot-tha) (9.11 p.m.): It is with pleasure that I accept the opportunity to endorse this motion before the Committee. I am also pleased to acknowledge the previous speaker's wholehearted endorsement of the motion.

I support this motion for the simple and undeniable reason that the expansion of the rail freight business, especially in the bulk transportation of coal for export, is fundamental to the continuing success of Queensland Railways and the economy of this State.

In 1988-89, revenue from the transport of goods and livestock totalled over $1 billion an increase of 12.2 per cent over the previous year, while revenue from coal traffic was $770m in 1988-89, an increase of $90m over the previous year's total.

In the 12 months ended 30 June 1989, Queensland Railways hauled a record 80.5 million tonnes of freight, representing an increase of 5.6 million tonnes compared with the previous year. A new peak was recorded for the transportation of coal from the central Queensland coalfields.

This outstanding performance is continuing. Only recently, the Honourable the Minister for Transport announced that an all-time weekly record of 1.51 million tonnes of coal was hauled by Queensland Railways.

A recent report in the *Queensland Times* indicated that the Australian coal industry expects coal exports from Australia to reach $8 billion per year by the end of the decade. Already, coal exports exceeding $5.6 billion make the industry Australia's largest export earner and the world's largest coal-exporter.

The effect of this mining and railway development on the economy of Queensland, and particularly the regional areas of central Queensland, is substantial and beneficial. The likely impact on the Emerald region of the proposed Ensham and Gordonstone mine developments will be significant.

The Emerald Shire Council and representatives of the mining companies have already met to discuss the cost and feasibility of extending water and sewerage services, and expanding social, sporting and recreational facilities to cater for an expected 30 per cent population increase arising out of the use of Emerald as a dormitory town for the proposed mine developments.

With a potential production rate of 3.6 million tonnes of high quality steaming coal a year, development at Ensham could mean millions of additional export dollars and hundreds of jobs. Projects like Ensham need to be encouraged to strengthen the State's economic base and benefit all Queenslanders. This development will be an enormous boost to the local economy and will greatly enhance the quality of life for residents of Emerald and the surrounding areas.

At the same time as the local community experiences direct benefits from the new development, rail users and dependent industries and business throughout the State will benefit indirectly through improved rail services made possible by the investment in new rail infrastructure funded from the revenue generated by the new export railways.

The Ensham project will, I am sure, be one of many new mining developments that will facilitate the continued growth of the Queensland economy and, in particular, the further expansion and improvement of the State's rail network.

This project is in line with my overall ambition to improve rail services and thereby help them compete effectively with road transport so that we can, in the long term, transfer increasing quantities of freight to the much more energy efficient method of rail transport.

I urge all honourable members to support the motion.

Mr BEANLAND (Toowong—Leader of the Liberal Party) (9.15 p.m.): Considering the publicity that this matter has generated in recent days, it is interesting that, tonight, we are debating this motion to construct a new rail spur. One cannot but feel that quite a few matters have not yet been answered. I am pleased that the Premier has decided to enter the Chamber to listen to this debate. That indicates that it must be a matter about which he has some concern, and well he might. The Premier's sell-out of this Ensham steaming-coal project has certainly shocked the mining industry. The Minister knows that as well as I do. I think it was only yesterday that the Premier and other members of this Parliament were at the opening of the Hilton mine, where the Premier would certainly have been informed of the concern of the mining industry about this whole matter.

Indeed, it would not be only the corporate sector that was shocked. I am sure that many of the Minister's electors and supporters at the last election would have been even more shocked at the Goss Government's wholesale sell-out to foreign interests. Many Queenslanders supported the ALP in the belief that it was prepared to take action to ensure that all foreign investment in this State would be beneficial to Queensland. He went round the State indicating Labor's policies and saying that the Goss Government would ensure a minimum of 50 per cent Australian equity. He knows it and his electors

know it. The Minister should not deceive them. The Government has not done that with this energy project.

The Minister also said that the Government would encourage a minimum of 50 per cent equity in existing projects. The Minister would well remember the Premier's promises about foreign investment as he went up and down the State. I am sure that the Minister did the same thing—deceived the people of Queensland. He repeatedly said, "What's in it for Queensland?"

Mr HAMILL: I rise to a point of order. I find the remarks of the honourable member for Toowong that I deceived the people of Queensland personally offensive and I ask that he withdraw them.

Mr BEANLAND: I withdraw those remarks and say that the Minister went up and down the State informing the people of Queensland that there would be no foreign investment in this State without 50 per cent Australian equity. Everybody out there knows it, so the Minister should not try to dodge the issue. He knows it is true; the community knows it is true, but now he is trying to weasel out of it just as the Premier did this afternoon. It did not work then; it will not work now. He has been done out there in the media; he has been done out there in the public arena. People know that he went up and down the coast misleading the people. If he does not like the word "deceiving", I will use the word "misleading".

The Minister said, "What's in it for Queensland?" Could it be put another way: "Why have you sold out Queensland?" The only explanation we have from the Premier so far is that Queensland needs a better mix of foreign investment. I will deal with the mix of foreign investment shortly. I understand from his statement that he is quite happy to have foreign investment in mineral resources, something about which the ALP has traditionally campaigned across the nation. One has to go back only 24 years and remember that there was a major Federal issue about the investment of foreign funds in this country, particularly in the mineral resources sector. It was also a major issue in this State. There is no way of getting away from that.

It seems that, in Government, that so-called better mix is 100 per cent foreign control. The State's business community is wondering today whether the Goss ALP Government is prepared to drop such a high-profile policy on foreign investment and is saying, "What's next? What will be the next of ALP's major commitments that it will break?" One has only to look in a couple of areas to find that the Government is well on the way to breaking other commitments.

The Premier promised the business community that he would bring certainty to Government decisions. Where is that certainty today? Let us look at the facts. Last week, the Goss Government dropped the Australian firm, CRA, out of——

Mr Sullivan: What has this got to do with the railway line?

Mr BEANLAND: This is very much about the railway line because, without this sell-out, to foreign investment, we would not be discussing this motion tonight. Let us not lose sight of the issue; this is what it is all about—a sell-out by the ALP.

As I said, last week the Goss Government dropped the Australian firm, CRA, out of a five-member consortium that had an authority to prospect the Ensham coal deposit west of Rockhampton. The Goss Government cited disagreement between the consortium partners, but I understand the real reason that CRA did not proceed is that it was not satisfied that the markets existed for a new mine. Of course, we have heard nothing from the Government about where the new-found markets are located. There has not been a single word on this issue at all. I trust that, tonight, the Minister will enlighten the Chamber as to where these markets exist.

Indeed, the managing director of Pacific Coal, Mr T. M. O'Reilly, issued the following statement on 11 May—

> "Contrary to the Queensland Government's statement there has been no evidence of a commitment to long-term export contracts by Japanese and Korean interests."

The facts are that it is better to utilise properly all existing mines so that coal can be sold at a more competitive price than unnecessarily bringing on new mines, which have an enormous capital cost get up and running. That has been a major issue confronting miners in this State for some time and is why they want the current coal rail freight agreement reviewed.

When the Goss ALP Government pulled the rug out from under CRA, that company had already spent some $12m of its share-holders' funds on preliminary development costs. Interestingly, the authorities to prospect that were called for were not put out to tender. No tenders were called for at all during this whole rearrangement. This is a shameful act and one which the Government has not tried to explain. To date, the Premier has managed to wriggle out of explaining it, and it is only fair that he is again confronted with this issue this evening.

Mr Elder: What has the Liberal Party ever done for the mining industry in Queensland?

Mr BEANLAND: Obviously, one can tell the newness of some of the ALP members. They have been in this House for only six days or six minutes and they know everything. They do not know what the Liberal Party has done for the coal-mining industry. If time allows, I will be more than happy to give them details of that.

No tenders were called at all. At the last election only five months ago, this Government made a big issue of Government projects and announced that everything would be put out for public tender. The issue was raised throughout the State and caused a storm. When the first real test came, no public tender was called. Instead of calling for public tenders, the whole project was immediately transferred to the remaining Japanese and Korean interests, Idemitsu, Lucky-Goldstar and Bligh Coal, which makes it 100 per cent Japanese and Korean owned.

Mr Goss said that CRA had had its chance and it was time to get on with it. He claims that it will be beneficial for the mine to go ahead, but beneficial for whom? Has this Government considered that these Japanese and Korean interests will use the advantages of vertical integration and transfer pricing to depress coal prices and move profits off shore? Today, this House witnessed a fine example of the Premier's filibustering for 20 minutes during question-time and thereby managing to avoid answering the question. The whole idea of filibustering is to engage in a lot of rhetoric, but whatever one does, one must not get close to answering the question because it might turn around and bite. This is what will happen in this case. It is the old ALP line of "playing the man" all over again and getting away from the issue. The members of the ALP are experts at it and learnt it in the Trades Hall sphere. Certainly, there will be some short-term benefits in employment and taxation, but in the long term valuable foreign exchange that would have helped reduce Australia's $130 billion foreign debt will be lost. The Labor Government knows all about that debt because it has been run up to that figure over the last six or seven years.

This issue has also shattered the confidence of the mining industry in investing in Queensland. The Minister knows that as well as I do. The managing director of Pacific Coal, Mr T. M. O'Reilly, said—

> "Pacific Coal is extremely concerned by the Queensland Government's unprecedented action."

In the last couple of days, Mr Bob McLeod, the Executive Director of the Queensland Coal Association, told the ABC—

> "The real facts of the issue are that coal projects aren't got underway with heavy handed Government action of this nature because investors react very badly to Government intervention of this nature . . . It certainly raises the spectre in the mind of investors and holders of authorities to prospect that after they've spent some millions of dollars developing the authority to prospect they face the possibility of the Government coming over the top.

The history of the coal mining industry shows that investors have reacted very poorly in States that have had excessive Government intrusion.

If that's going to be the hallmark of the new Queensland Government I'd expect investors will react poorly and that's the last thing the coal industry in this State needs."

That comment came from the Executive Director of the Queensland Coal Association. One only has to look at New South Wales, when Mr Wran was the Premier, to see what the ALP did to coal-mining in that State not so many years ago and the devastation that it wrought on investment in the industry, particularly Australian investment.

Indeed, the coal industry is rather perplexed that, whilst the Government intrudes into the affairs of private enterprise, it still cannot get its own house in order. I understand that the Labor Government has informed the coal industry that three months is too short a period to review coal freight rates. Today, when answering questions, Mr Goss seemed to indicate that the Queensland Coal Association proposal would result in the same Government revenue take and was based on a similar percentage per tonne for a larger total production. Government revenue will be unaffected. That was one of the supposed budgetary reasons for the delay in finalising the coal freight issue. This Government has been looking at the issue for three or four months now, and that is too long for the people in the industry. The time taken by the Government to review the coal industry has also been too long. The Government has had ample time to prepare for this. Today, the Minister indicated that the Budget will not be affected, However, the Premier said that the Budget will be affected. The Premier admits that the coal association proposal is a revenue neutral proposal. He maintained that there is no reason for proceeding with this proposal and that it could wait until after the completion of the Premiers Conference, which he seemed to indicate was necessary. Really, the ALP is following the lead of the member for Flinders. Earlier, he asserted on radio, or somewhere else, that he supports this proposal.

Tonight, this House has heard nothing from the Government about all these questions that need to be answered. Instead, we have heard the usual rhetoric. One can understand why the Korean and Japanese interests have been able to move into a project of this kind. They move in and develop our major resorts and investments around the State because they can obtain cheap funding. The interest rates in their countries are low—approximately 5 per cent or 6 per cent—when compared with the interest rates in Australia, which are four times that amount.

When Australian companies have to borrow at such a high rate of interest, one can understand why foreign investment companies that are able to borrow at a lower rate of interest gain a considerable advantage over them. Moreover, Australian investors encounter exchange-rate problems when they seek to obtain loans overseas. Foreign investors are able to obtain funds at low rates of interest and do not encounter enormous problems in doing so.

Mr Coomber interjected.

Mr BEANLAND: I am reminded by the honourable member for Currumbin that Australia's credit-rating is inferior to that of Japan. A good credit-rating makes life a great deal easier for Japanese and Korean investment companies.

I would have hoped that the Minister's introductory remarks might have indicated the exact financial position in relation to this development, because all honourable members would be aware that the coal-mining industry has a huge impact on the economy of this State. An appreciation of the significance of coal exports can be gained from recognition of the fact that of a total value of exports for Queensland of $3,247m, coal accounts for $7,928m, or 41 per cent. Because one of the Minister's colleagues interjected earlier and asked me what previous Governments had done to boost the coal-mining industry, I point out that the coal-mining industry has been built up over

a period of many years to the point that it is now Queensland's major export revenue-earner. In the early stages of the establishment of the industry, valid reasons existed for allowing foreign investment to get the industry up and running.

Now, Australian investment companies are able to compete on international financial markets. They are able to provide funds to establish mines and provide export revenue from overseas markets. All the rhetoric condemning foreign investment that has been indulged in by the ALP is contradicted by the fact that tonight this Labor Government proposes to construct a spur line to the Ensham mine to allow Japanese and Korean investors to carry off the profits.

Mr Ardill interjected.

Mr BEANLAND: The member for Salisbury should be the last person to interject and mention those who are in favour of this proposal. Over quite a long period, the member for Salisbury has berated me in this Parliament and in other places because of the Liberal Party's policy on foreign investment; yet he now interjects and is cynical enough to be supporting the Government's proposal.

I believe that the Minister for Transport owes an explanation to the people of Queensland and to the coal-mining industry. He should come clean and indicate the Government's intentions, and provide answers to the issues I have raised. Within five months of winning Government in Queensland, the ALP has sold out its supporters on the issue of foreign investment.

Mr SULLIVAN (Glass House) (9.34 p.m.): I support the motion before the Committee and commend the Minister for moving it. Before I draw the attention of the Committee to the matters to which I will refer in particular, I wish to comment on a couple of the matters mentioned by the member for Lockyer, Mr FitzGerald, who indicated his support for the Government's action in allowing the consortium to proceed with its investment in the mine, in spite of the fact that it does not have any Australian ownership component.

The honourable member noted that the consortium will be working towards a significant element of Australian ownership of the mine within a period of five years. It is my understanding that the consortium partners have indicated their acceptance of any Foreign Investment Review Board requirements and would seek a greater degree of Australian equity at a later stage. It is also my understanding that although the Queensland Government is eager to seek a greater extent of Australian equity, it decided that paramount importance should be given to ensuring that the project got off the ground. I make the point that although the extent of foreign ownership of the project is presently 100 per cent, that represents an increase of only 9.5 per cent in the previous level of foreign ownership. The foreign-ownership component of the original consortium comprising five parties was 90.5 per cent, taking into account that the 50 per cent CRA-owned subsidiary, Pacific Coal, owns 19 per cent.

The member for Lockyer also indicated that a number of other mining companies were disappointed by the Government's decision to open the mine. Earlier this evening, he mentioned that the amount of coal exported from Queensland annually was 26 million tonnes and that that figure would double. The Ensham mine is estimated to be capable of producing 3.6 million tonnes, which will leave 21.4 million tonnes of expansion to be filled by other mines. I fail to see the basis for the disappointment felt by the other mining companies.

The member for Toowong, Mr Beanland, mentioned the sell-out of an additional 9.5 per cent in foreign ownership but forgot to mention the overall context of the arrangement. He had a good deal to say about ALP policy and asked the question, "What's in it for Queensland?" For the edification of the member for Toowong, let me list the benefits that will accrue to this State from the establishment of the Ensham coal-mine. Initial exports are estimated to be 1.6 million tonnes of coal, but they are expected to increase to 3.6 million tonnes annually by 1995. If one assumes a maximum level of output and current steaming-coal prices to be $A50 per tonne, it will be possible for the

mine to earn approximately $180m annually in export revenue. That is a part of "what's in it for Queensland". At a rate of 5 per cent per tonne, royalties will amount to $9m annually; additional income will be gained from coal rail freight; 400 permanent jobs and 1 500 spin-off and support service occupations will be created. They are also examples of "what's in it for Queensland".

The member for Toowong also referred to a comment made by CRA's spokesman indicating that the company was not satisfied that overseas markets existed. I refer him to the figures cited by the member for Lockyer that indicate that exports will double.

The honourable member for Toowong also wondered about the retendering for the authority to prospect. I simply inform him that it was not a requirement under the Mining Act that the authority had to be tendered for again. I also remind the honourable member that the circumstances surrounding this project cannot be used as a precedent. Plenty of other precedents exist, for example, the Oaky Creek authority to prospect that was awarded in 1977 to Houston Oil and Minerals—a company that is now owned by MIM and others.

On 31 July this year, Queensland Railways will celebrate its 125th anniversary. On 31 July 1865, the first passenger train service between Ipswich and a place now known as Granchester was inaugurated by Governor Bowen.

Since that first auspicious occasion, the further development of railways throughout Queensland has proceeded at a hectic pace, opening up a vast expanse of this State and providing an effective means of transport to satisfy the demands of agricultural, pastoral, mining and political interests.

The first 60 years saw almost continuous construction activity and expansion of the system. By 1930, a massive network of 10 400 kilometres had been developed.

At the end of World War II, an ambitious program of rehabilitation of the railway network was undertaken to overcome the enormous problems that were present as a result of the lack of essential maintenance work during the war.

Mr Ardill: By a Labor Transport Minister, Jack Duggan.

Mr SULLIVAN: I thank the honourable member for his interjection: by a Labor Transport Minister, Jack Duggan.

The start of the second century of Queensland railway operations witnessed a new era of expansion. A new generation of railway construction commenced hand in hand with the development of the mining industry, principally in central Queensland, involving approximately 1 250 kilometres of new routes, as well as the reconstruction of many hundreds of kilometres of existing track. That culminated in the massive main line electrification program that has recently been completed. The 1990s will witness even further expansion and upgrading of the State's vast rail network.

In January this year, contracts were awarded for the construction of the bridges and earthworks for the duplication between Kuraby and Trinder Park and between Loganlea and Holmview on the Beenleigh line. Tenders have also been called for various other works, such as power signalling and a new electrical substation at Beenleigh. Those works are a necessary prerequisite for improving peak-time rail services to and from Beenleigh and for the efficient running of Gold Coast services from the end of 1994.

Other projects to which the Government is committed include the inner-city tunnel duplication, the Statewide upgrade of safe working systems in conjunction with the driver-only project, and rail deviations at Mackay and Townsville.

Since its inception, the history of Queensland's railways has been inseparable from the history of the colony and the State of Queensland. The railways were the significant force responsible for the pioneering of the colony. Their subsequent development has met the challenges of the transportation task, and it may be said with some conviction that the economic and social progress of the State of Queensland has largely been due to the contribution of its railways.

This Government recognises the importance of railways to the future of this State and its citizens. It particularly welcomes new business, such as new coal mines, which both depend upon and facilitate the construction of new railway infrastructure.

The proposed Ensham rail spur will be another link in the vast chain of railway lines connecting the central Queensland coal fields to the export ports at Mackay and Gladstone.

I am sure that honourable members will all agree that this new spur line is worthy of the support of this Assembly and will strongly endorse the motion before the Committee.

Mr ELLIOTT (Cunningham) (9.41 p.m.): One must have sympathy for the predicament in which CRA finds itself. People have written to that company suggesting that it should get on with the job. In the current economic climate, if a project is risky—which most mining ventures are—lending institutions charge Australian investors 18 per cent to 22 per cent to borrow money. However, many off-shore operations can finance projects in Australia with money borrowed at between 6 per cent and 8 per cent. Is that fair competition?

If honourable members had that sort of money in a bank, in the current world climate, would they invest it in a mine? They would need much courage and much vision to be able to predict that the world economy will improve. In the past, Queensland rode on the sheep's back and depended on its primary industries. More recently, coal has been king. Of course, now coal is in the doldrums.

I am amazed that the Government, which has made a song and dance about those issues in the past and questioned the former Government's foreign investment policy, could rush this motion through the Committee in the manner in which it is doing tonight.

I will be brief. Most of the major points have been made by previous speakers. However, I place on record that it is almost impossible to obtain Australian equity in any projects. From experience, I know that, when businesspeople approach financiers and ask, "Wouldn't you like to put some money into this good project?", they are told, "Well, it would be very nice if things were different. But, until the squabbling mob in Canberra get their act together and come to grips with the problems of this nation, I am sorry." If ever the statement made by Keating about Australia being a banana republic were applicable, it is now, because Australia is headed in that direction. If honourable members do not believe that Australia has problems, they should take notice of what is occurring in the wool industry. The Commonwealth Government has kicked the legs out from under the wool industry.

The coal industry faces a similar problem. The balance of payments will get worse. Interest rates may decrease slightly, but in the long term, unless Australia comes to grips with productivity in the coal industry and in primary industries, they will remain high. Primary products are produced cheaply until they hit the farm gate and head off towards the waterfront. Then the costs escalate.

Government members do not seem to realise that they are now in control.

Mr Hamill: We know. And we know that you know, too.

Mr ELLIOTT: No. Unfortunately, Government members still have an Opposition's mentality. They do not seem to be able to accept the responsibility of government. Unfortunately, their colleagues in Canberra are not lending them much assistance, either.

If nothing else, at least this is one project that is up and running. I, for one, am pleased about that. I am not pleased about how it has come about. However, at least it is a project that is up and running, which might result in some revenue and some jobs.

It was interesting to listen to the member for Glass House, who was throwing stones a little while ago. In fact, he sounded more like a member of the National Party than

a member of the ALP. That is encouraging. Pat Comben should have been in the Chamber to hear him. Perhaps the Minister——

Mr FitzGerald: Honourable.

Mr ELLIOTT: The Honourable Minister—I stand corrected by my colleague. Perhaps if the Honourable Minister had listened to what the member for Glass House had to say, he would adopt a different attitude.

When the 73 committees that the Government has set up come up with recommendations, the Government is going to have to make 73 more decisions. They will probably all be just as difficult to make as this one, which is drawing all this flak. What is the saying—beware the ides of March? Perhaps this is a different time of the year.

I do not wish to take up the time of the House other than to say that I am delighted to see at least one project getting off the ground. I would like to think that the Government will grasp the nettle and get a few more going.

Mr HEATH (Nundah) (9.47 p.m.): I support the Minister and my colleagues in their commendation of this proposal. I am happy that the member for Cunningham is also pleased that the project is up and running. He is the first member on the Opposition side who has acknowledged that the project is up and running and is going to benefit Queenslanders.

Honourable members have heard that the new rail line and coalmine at Ensham will greatly benefit the people of Queensland, not just now but also far into the future. There will be immediate benefits in the form of employment for the construction of the rail spur. Subsequently, of course, there will be better rail services for more Queenslanders and greater employment in Queensland Railways, in the mining industry and in associated service industries which will develop to support the mining and rail communities. The growth in the economic benefits generated by this construction will directly benefit the mining and railway communities for many, many years. The people of Queensland as a whole will also obtain considerable benefit from the new mine and railway development.

Mining royalties will generate about $9m annually in direct State Government income. These mining royalties, port charges and payroll taxes will all contribute to the financial resources available to the Government for use in improving the general services it offers to the community. Let us not forget that at last Queensland has a Government that is committed to improving the social services available to ordinary Queenslanders, and that this Government realises fully that successful and prosperous private enterprise provides much of the funds which the Government distributes for the benefit of Queenslanders. In realising and accepting the economic facts, this Government will of course assist private enterprise to perform and become prosperous and profitable by remaining socially and environmentally responsible.

The development of the new mine and rail facilities will directly generate employment in the construction industry. The construction of the railway formation, the bedding and tracking, bridges and drainage structures, and the construction of the mine structures and facilities will provide a very welcome boost for the construction industry. The establishment of the mine itself will create 400 jobs. It is estimated that it will generate a total of about 1 500 jobs in spin-off and support services in Queensland. The construction phase will also provide benefits for the transport network, both rail and road, and will begin to provide benefits for the nearby communities that will service the work force.

In the longer term, the flow-on effects of the mine and the railway development will be both substantial and lasting. On the Government side, there will be continuing employment for Queenslanders associated with the maintenance, repair or ongoing upgrading of railway facilities and railway equipment of all kinds, which will need to be performed by employees of Queensland Railways. Further, new employment opportunities will arise as a result of the expansion of the rail system, which the Minister mentioned. The expanded requirements of the railway system needed to service the new

Ensham mine obviously translate into expanded employment opportunities over the whole spectrum of railway works.

On the private-enterprise side, the new railway and new mine will provide a requirement for both new and expanded existing service industries and facilities to cater for the employees of both the mine and the railway. The need for these services, facilities and industries will, of course, be filled by private enterprise. This will bring greater amenity and community benefits to the townships catering for the employees, beginning, as I have already mentioned, during the construction phase and, of course, continuing and expanding over the years when the mine and railway are in full operation. The workers from both the railway and the mine will require all of the normal facilities necessary or desirable for the fullest enjoyment of their life-styles.

The Government is proud to be working alongside private industry in providing all of these services to people throughout the State. The Ensham project is the sort of development that this Government welcomes and encourages, and I am sure that all Queenslanders and all honourable members will agree with and support this proposal.

Dr WATSON (Moggill—Deputy Leader of the Liberal Party) (9.51 p.m.): It gives me pleasure to enter this debate. Honourable members have finally found out why a few weeks ago the Minister for Transport added this motion to the notice paper. In the last couple of days honourable members found out that the Government was going to quit messing around and finally make a decision. When it got around to making a decision, it was one which generated more uncertainty in the mining investment market than its dithering has for the last couple of months.

During question-time today I was interested to hear some of the remarks that the Premier made. Tonight I want to take up a few of those remarks and examine in some detail some of the issues that are involved with foreign investment, particularly investment of this type. The Premier made some derisory remarks, if you like, concerning vertical integration and transfer pricing. The issue of vertical integration is important whenever one is looking at investment, particularly internationally involved investment.

Companies that are vertically integrated might make economic decisions that would be inappropriate for companies operating as independent entities in the home country and overseas. Let me explain that in a little more detail, because the Premier does not seem to understand the effects of vertical integration and, as he has just left the Chamber, it appears he does not want to know about them.

The economic decisions that a vertically integrated firm makes may be different from those separate production and market entities would make. For example, it is very likely that the cost structure and the prices that a firm might accept as a production entity may differ from the end prices and the total cost structure of an integrated firm. Basically, that means that, in the short term, an integrated firm would make decisions that lead to a greater supply of a particular product than would be warranted if there were separate entities.

From Australia's viewpoint, it is important to note that vertical integration can lead to a potential oversupply in local and overseas markets, which would have the effect of depressing prices. In the future, every other miner would face a lower price regime than would normally be the case without the mine. That would affect their future investments and profits. One must balance the potential loss of investment from other organisations and the potential loss of profits, vis a vis the potential gain from this particular mining venture. It is not good enough to say that some benefit may be gained from this particular venture. The question is: is this the most appropriate coal venture, vis-a-vis all the other available ventures?

I turn now to transfer pricing and other mechanisms that may be used by organisations to transfer profits off shore. The price and quality of coal from any particular mine tends to vary. Transfer pricing is only one possible mechanism for moving profits off shore. One could think of a whole variety of other mechanisms which become available to a vertically integrated firm which are not be available to separate firms.

For example, management contracts are one way of moving profits and revenue off shore. Technology contracts, insurance contracts and shipping contracts are all potentially available to an integrated firm to move profits and revenue off shore. Contrary to what has been claimed by Government members, those facilities are not available to firms and joint ventures with a minority interest. The issue of transfer pricing and other mechanisms for moving profits off shore is not trivial. One cannot say simply that it will not occur. In fact, everything that one understands occurs in international businesses is very likely to occur with vertical integration.

Mr Welford: You're a free marketeer, though.

Dr WATSON: Of course I am a free marketeer.

When organisations can interact in a market with separate buyers and sellers, the incentives for the buyers will keep the sellers honest and the incentives for the sellers will keep the buyers honest. Vertical integration is considered by trade practices commissions both internationally and within countries. It is up to the Government of the day to set up the legal framework within which competition can occur.

It is interesting that Government members argue that the additional revenue may be necessary and that, somehow, Queensland and Australia deserve that mine. However, one must question whether or not those benefits can be captured by some other mechanism. The Minister indicated that other mines potentially could produce the necessary supply of coal. For example, the CRA Ltd and Blair Athol mines, and the Moura, Newlands, New Hope and the West Moreton fields are all potential sources of steaming coal.

If some hardness exists in the market and export markets are available, it is likely that those markets could be captured through an expansion of existing mines. More importantly, it is very likely that they could be captured at a lower marginal cost. For example, the necessary infrastructure already exists at Blair Athol, Moura, New Hope and Newlands. Therefore, one expects that the cost structure at those mines would be lower than that at a new mine. Therefore, the return to the taxpayer in the form of profits would be higher. It is not good enough to say that there is something in it for Queensland simply because it is a new mine. One must consider the alternative uses of this resource and ways of capturing any advantages. I have seen no Government analysis or anything in the media about this issue. I look forward to a comparative analysis by the Government.

Tonight, we were told that the projected tonnage available at the new Ensham mine will start at about 1.6 million tonnes a year and grow to about 3.5 million tonnes a year. From the four mines that I mentioned earlier—and CRA owns one of them—at least 4.5 million tonnes of steaming coal a year is available right now. It could be used to capture the markets, if they existed; it could be used to capture the export revenue; and it could be used to capture the railfreights. The question is: what does this mine give above and beyond those mines that exist already?

The Government has also argued that it was important—absolutely critical—for the project to be undertaken right now. In other words, it was saying that there was a demand for the market right now. How can that be tested? If that was true, what could one expect to see when looking at coal prices and at inventories of steaming coal around the world? If there was a market available now, one would expect to see on the spot market rising prices. One would also expect to see steaming coal inventories falling. Is that seen? Has any evidence been put forward by the Government to indicate that that is true?

In fact, from my observations, the spot market prices, if you like, are soft; they are not going anywhere. If anything, they are going down. They are certainly not rising. Inventories of steaming coal around the world are increasing. Both of those are objective pieces of evidence, not controlled by this Government or anyone else, which are completely inconsistent with the assertion that right now there is the shortage of steaming coal.

Mr Pearce: How long before this mine comes on stream?

Dr WATSON: That was not the argument that was put forward by the Government. The Government put forward the argument that this mine is required now. If the Government wants to put forward a longer-run argument—and there may be some merit in that—again, one has to look at the cost of expanding mines such as Moura and Blair Athol and the length of time it will take to increase their capacity and compare that with the cost of the Ensham mine.

Mr Hollis: What about the railway? That's what we're supposed to be debating.

Dr WATSON: With the construction of this railway line, the Government is talking about investing public funds.

Mr Hamill: No, no, no! You are right off the track.

Dr WATSON: We are talking about a company investing funds in a project which is clearly not of a social benefit—not of social benefit relative to where the funds could be expended elsewhere.

Mr Hamill: Are you advising the company not to invest in that railway?

Dr WATSON: I am saying to the Minister that the argument that he has put forward so far simply does not stand up to any reasonable economic analysis. The Government has not carried out an analysis to compare this mine with other mines—the cost associated with expanding those mines and the expected revenue that can be derived from them. That is what is missing.

The Government has argued that the joint venture partners have been dragging their feet because they have not done something over seven years—they have not done anything in the past few months to ameliorate their disagreements.

Yesterday, the Premier, along with the Minister for Resource Industries and the member for Mount Isa, attended the opening of the Hilton mine. As the member for Mount Isa is the only one of those three in the Chamber, he will be able to confirm what I am about to say. At that opening, Mr Bruce Watson, the Chairman of MIM, spoke about the difficulty of investing in mining and the on/off, stop/go problems associated with developing a major mine. The Hilton mine has taken some 60 to 70 years to develop. It is not a short-term project.

Market conditions change; technology changes. The same kinds of things occur in the coal-mining industry as occur in the lead, zinc and silver mining industries. It is not good enough to say that there has been some time period. One has to examine that time period and compare it with other things to see whether or not in the circumstances it is a reasonable time period. It is not good enough to say it was seven years. No-one would want to argue today that the situation in relation to coal is the same as it was in the late seventies. There is simply no way in which one can compare today's coal market with what it was in the late seventies or early eighties.

Mr Pearce: Is it growing? Is the market for coal growing throughout the world?

Dr WATSON: At the moment, that is very questionable. The expectation might be that the market for steaming coal will increase. But, at the moment, inventories of steaming coal are going up, not going down. One has an expectation, and one can guess about the future and make the best predictions one can.

The Government says that it wants this mine now. It was not willing to wait for the previous joint venture partners to be able to resolve the differences. The Government wants an agreement right now, as though there was something urgent about bringing things on stream immediately. There is no market evidence to suggest that that is true.

Mr Pearce: You don't know what you are talking about.

Dr WATSON: I am afraid that the honourable member does not know what he is talking about. He needs to learn something.

I refer now to a couple of finer technical points. Although I do not really expect the Minister to be able to respond to these, I am interested in the Government's viewpoint. My understanding is that the Government has simply given the new partners an authority to prospect. I was wondering what conditions will be extracted from them in order to move to an authority to mine, and what kind of commitment or guarantee these partners have given that they will actually move to that point.

The second aspect that I was interested in, because I had not seen it referred to anywhere, is whether or not an environmental impact study was carried out. This Government is big on environmental impact studies. Has an initial environmental impact study been carried out and, if so, what does it state? For example, does the open-cut pit cause any problems for the Nogoa River, which this area adjoins? My understanding is that to ensure the economic viability of the project the open-cut pit may have to cross the river, which may lead to a diversion of the river. I do not know whether that is true. I understand that an environmental impact study may have been carried out. Because this Government says it is committed to the environment, I would like to know the answers.

That issue should have been addressed in the announcement of the project. I realise that that is not in the Minister's portfolio but, as a member of Cabinet, he may be aware of that fact.

Mr ARDILL (Salisbury) (10.09 p.m.): If one takes the trouble to look through the reports of the proceedings of this Chamber dating back to 1865, one will find that much time has been taken up by debates on railways, proposed railways and the building of railways. Tonight, the members of this Assembly certainly are taking some time to discuss the building of a railway, although most of the debate from the members of the Liberal Party seemed to be on the economics of the mine and the facts surrounding the establishment of the mine itself, rather than any interest in the building of a railway line.

I support the construction of the 13-kilometre Ensham spur line off the Gregory branch, which in turn leaves the central railway line at Burngrove. Ensham is the name of a pastoral property in the Nogoa River district, downstream from Emerald, and on the Tropic of Capricorn.

The spur line will be a heavy-duty coal line capable of taking multiple-unit heavy locos and the largest mineral wagons in use in Queensland. It will be electrified, taking Queensland Railways to over 2 000 kilometres of electrified track. It will consist of a 1.6- kilometre, approximately 90-degree curve from the Gregory branch running from north west to south east, then a section of 6.5 kilometres south east to recross Cattle Creek, where it will turn west for 4 kilometres to the coal-loading facility. Trains will then travel via a balloon loop to rejoin the single track.

Mr Perrett: Is that a brief?

Mr ARDILL: It is not a brief at all, as a matter of fact. I dug all that up myself and, for anyone who does not understand the words, I have even drawn a sketch.

Mr ARDILL: The spur is intended to carry 3.6 million tonnes per annum to Gladstone, and eventually will incorporate another 90-degree rail connection to the north via Gregory and Coppabella to Dalrymple Bay.

The line will cost $16.5m, including $4m for electrification, at no cost to the State. I repeat for the benefit of the Liberal Party, "at no cost to the State".

Mr Veivers: What capacity will it have?

Mr ARDILL: The initial line will have a capacity of 3.6 million tonnes annually. Eleven electric locos with locotrol equipment and 251 wagons will cost an estimated

$68m. That money is going into the Queensland community and, of course, this new line will benefit Queensland.

The line will have a maximum grade of 1:180 against empty trains with level or downhill running for loaded trains. Such ideal operating conditions would have made Paddy Fitzgibbon green with envy when he started Queensland's pony railway from Ipswich.

Queensland leads the Australian States in handling heavy mineral trains, despite its narrow gauge. Locotrol and electrification allow trains of 10 800 tonnes using 94 and 97-tonne locos, compared with New South Wales' recent achievement of 8 400 tonnes using 114-tonne locos on the standard gauge.

Mr Veivers: Shouldn't we have a standard gauge right throughout Australia?

Mr ARDILL: I have just proved that the honourable member is wrong. I have just said that, with Queensland's 1 067 millimetre gauge, Queensland Railways uses larger trains with smaller locos than does New South Wales with its standard gauge. All credit to Queensland Railways for what it is achieving.

The importance of coal traffic to Queensland Railways cannot be overstated. The following table gives the 1988-89 figures.

Revenue		Expenses	
Coal	$828m	Wages	$639m
Grain	65m	Administration	478m
General freight	159m	Other	56m
Passengers	65m	Capital	67m
Totals	$1118m		$1241m

In addition, nearly $173m from trust moneys was used. Honourable members can appreciate that that represents a considerable excess of expenditure over revenue.

Queensland Railways has clearly concentrated on coal traffic and has done very well. The suburban services have been given increased support and during the 1980s the public responded with a 91 per cent increase in patronage to 46 million per annum. I understand that this year that support has risen to 49 million passengers per annum. It is estimated that the costs above receipts will be $165m per annum. In other respects, the hand-over to the new ALP Queensland Government has been hopeless.

In the past, Queensland Railways has made Queensland what it is—a decentralised State. In doing so, it has contributed to its own operating problems. We have been blessed with dedicated and effective commissioners and railwaymen who have consistently drawn attention to the fact that Queensland Railways is a politically generated Government service and not a business.

In 1931, J. W. Davidson said—

> "The operation of the railways in a State where the business offering is smaller in relation to the route miles open than any other system in the world is sufficiently difficult under normal conditions. However, at a time of extraordinary depression, such as we are now passing through, the maintenance of a reasonable ratio of expenses to earnings is a particularly hard task."

Mr Veivers interjected.

Mr ARDILL: In 1942, Percy Wills said—

> "A system with long dead-end lines and multiplicity of spur lines, practically none of which are connected with each other, is in an entirely different position regarding rollingstock requirements from a system where lines radiate from a common centre, as in all of the other States, and where distances are infinitely less . . . We have about the lowest population per mile of any country in the world."

What sort of interjections was the honourable member for Southport making while members were listening to those words of wisdom? Let us now hear his interjections.

No? Those commissioners whom I have just quoted knew what they were talking about. It is unfortunate that some honourable members do not.

Queensland Railways has always been starved for capital, except in short bursts of activity and except where coal lines were built. General freight facilities are appalling and the Minister, the Honourable David Hamill, is obviously aware of the problems he faces. One of them is finding what the previous Minister said was $483m in the next five years for passenger service expansion in Brisbane and the Gold Coast. This is in addition to an expected continuation of the $165m per annum loss on these services. The cost of suburban services has to be considered in the context of the cost the community would face if they were withdrawn. That is the crux of the matter.

Treasurers and Finance Ministers continually harp on the cost of railways but think of nothing of spending $300m of our hard-earned dollars overseas on every aeroplane that is purchased. It is time it was realised that only 8 per cent of the Australian people have ever travelled in an aeroplane, so 92 per cent of the people have to help fund billions of dollars for aircraft, airports and navigation aids for the 1.3 million people who fly. Last year, 516 million passenger journeys were made on rail in Australia, of which 13 million were made on interstate, interurban and country trains. What are the Opposition's words of wisdom on that?

Mr Veivers: How much did Bob Hawke spend last year on railways in Queensland?

Mr ARDILL: Just wait for it.

Brisbane Airport saw 5.2 million passenger arrivals and departures by 1.3 million Australians or overseas visitors, whereas more than 49 million passengers used Brisbane railway services.

There is no panacea for making railways earn more than they cost, but this coal line will certainly help. Australian National has the least capital invested and the greatest cost recovery. Westrail has shed 30 per cent of its work force and has reduced its capital outlay, but has failed to improve its position. Improvements can and must be made, and should have been introduced, long before this.

Railway staff morale just has to be improved, and management made more lean and effective. Improved and expanded services should ensure job opportunities for existing staff with a more efficient service. Until the Queensland railway system again provides a regular passenger, parcel and goods service by amalgamating all three, no-one will take the system seriously. When they are amalgamated and the public throughout Queensland learn that they can rely on rail, we will see the same upsurge in patronage that we have seen in Brisbane. When railwaymen see that there is some future for them in providing an efficient service, we will see a vast improvement in morale among those who want to stay in the job.

The first step needed is to upgrade the track. The shocking con job perpetrated by Don Lane and the Nationals in spending $300m on the electrification of the North Coast Line to Gladstone without removing hundreds and hundreds of 40 kilometres an hour curves must go down in history, together with the three different rail gauges in Australia, as examples of ultimate folly. At some time in the future, we must face the inevitable task of easing these curves and, where possible, removing them. A case should be made for Federal funds sooner rather than later. We have an electric train named the Spirit of Capricorn which can and does achieve speeds of 120 kilometres an hour. I have travelled on it and have watched the driver at work. Because of Don Lane's con job, it averages 57 kilometres an hour between Brisbane and Gympie and 70 kilometres an hour between Gympie and Maryborough West.

Because of the same problem, the much-vaunted XPT in New South Wales, which can achieve a speed of 160 kilometres per hour—although I have not seen it do so—also achieved only 70 kilometres per hour. At least New South Wales made no pretence of upgrading its main trunk north coast line the way that the National Party claims that

it did with the North Coast Line between here and Cairns. A 120 kilometres per hour train is limited to a speed of 57 kilometres per hour.

Maryborough west is another huge mistake made by the previous National Party Government. Passenger trains should proceed into the heart of cities such as Gympie, Maryborough, Mackay and Townsville. The freight yards can be shifted by all means, but the passenger terminals must be returned and retained as close as possible to city centres. Who would countenance moving the Roma Street station or Centra Station from the heart of Brisbane?

Not only has the Queensland National Party failed to address the problem of providing the rail services to which the public are entitled and need, but also the Federal Labor Government has not done its share. In the last seven years, it has happily received $436m from railway operations in excise duty or petrol tax—as the road lobby prefers tro call it. It continues to do so, but it does not provide the necessary funds for track upgrading, which would reduce the need for more overseas funds to be spent on airlines and reduce the road toll by diverting more traffic from the roads onto the railways. Until this changes, I see no relief for coal-mining companies such as the deveoper of the Ensham mine. They will have to continue to contribute to the cost of running the Brisbane suburban services.

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (10.26 p.m.), in reply: I thank honourable members for their participation in this debate, particularly the honourable member for Salisbury, whose knowledge of railways is quite extensive. He always makes a very fine contribution in this House on railway matters.

In response to the comments made by the honourable member for Lockyer, who, as a former Government Whip, endeavoured to demonstrate his capacity for dealing with numbers in regard to the rolling-stock requirements for the Ensham project——

Mr FitzGerald: I notice you took some advice on it.

Mr HAMILL: I am always happy to take sound advice. Unlike its predecessor, this Government does not rush into things solely on gut instinct or blanket ideology.

For the information of the honourable member, I point out that we envisage that the Ensham trains will have 100 wagons and four locomotives. The 250 wagons that will be required and built for this project will be 90-tonne wagons which can be swapped over with those wagons that are currently operating on the Goonyella line. There will be 72-tonne wagons going into the central line, which has a weight restriction. The maximum tonnage for that line is 72 tonnes. It is not as heavy a haul line as the Goonyella line. There will be 250 wagons, 10 locomotives and one spare locomotive used to service the coal industry. The numbers do stack up and I am sure that the honourable member, as a former Government Whip, appreciates that.

I was concerned that the debate on this project was becoming bogged down by boring detail, but forltunately the honourable member for Toowong, in his usual manner, was able to inject a little humour into the debate. I often wonder where members of this Parliament would be without the honourable member for Toowong to lighten up their day in that fashion. Also, I often wonder where the honourable member for Toowong would be if he did not have a cliche to call upon when he addresses the House.

Mr Beattie: Forty-three in one speech.

Mr HAMILL: Forty-three cliches in one speech is customary.

I will respond in some small measure to the comments made by the honourable member for Toowong during this debate. He referred to the Premier's sell-out on Ensham, and I waited with bated breath to find out how in fact the Premier had sold out on Ensham or, for that matter, on anything else. The honourable member seemed to suggest that my constituents would be shocked at what the Government has done about this further development of Queensland's coal industry. I advise the honourable member

that my constituents would be quite delighted to know that coal-mining is proceeding in Queensland. In fact, some of my constituents uffered terribly as a result of the run-down of mining on the West Moreton coal fields and the totally unsympathetic policies pursued by former coalition Governments. There has been a massive loss of employment opportunities in the West Moreton coal fields. In fact, it is because of the development of projects such as Ensham that families who have had to move from West Moreton have found new employment opportunities in central Queensland in an industry that they know and love. The member for Broadsound is now catering for the needs of many of those families who have moved from my electorate and are now living in centres such as Dysart and Middlemount.

The member for Toowong claims—and I emphasise “claims”—that the Labor Party policy that it proudly campaigned upon throughout the State was that there would be no foreign investment in Queensland unless there was 50 per cent Australian equity. This is a nonsense and is typical of the kind of outpourings that this House has come to expect from the member for Toowong. The Labor Party has no such policy. In fact, the Labor Party has had a policy of enduring concern that the Queensland public and economy were being sold short through an open-slather, open-door foreign investment policy which left no tangible benefits in the hands of the Queensland people. It is an insult to the intelligence of members in this House for the honourable member for Toowong to claim that this project will not benefit the people of Queensland. If the member for Toowong suggests that this project is not beneficial, he must answer several substantive points. There will be 400 permanent jobs generated in this State as a direct result of the development of the Ensham mine.

The project will also provide significant multiplier effects. In fact, representatives of the mining industry have repeatedly argued that underground mining and open-cut mining both enjoy a reputation for being significant employment multipliers. A significant employment increase is generated by the development of new mines and the maintenance of those mining activities. Significant employment will also be generated and maintained by extension of the rail system. Those effects flow to other parts of the social infrastructure and also have the indirect effect of addressing social needs. In my introductory remarks, I mentioned that schools, hospitals and police stations tend to increase or be upgraded in the project areas. Beneficial effects also flow to the communities that derive long-term income from the project, which in turn brings a measure of prosperity to regional centres.

Tangible benefits also accrue to the Queensland Government through revenue obtained from royalties, freight charges and port charges. Queensland's economy also derives significant benefits from the additional export income that the project will generate. Consequently, it is absolute nonsense for the member of Toowong to assert that foreign investment in the project will not result in benefit accruing to Queensland.

The member for Toowong asked, "Why is Queensland being sold out? Why was Queensland dudded?" After analysing the honourable member's speech, I can only conclude that the only organisation that has been dudded lately has been the Liberal Party. It has had to scrape the bottom of its very little barrel to dredge up the member for Toowong to be its leader. The fact is that the Ensham mine project is not a sham. It is a worthwhile project.

The Labor Party stands by its overriding commitment to oversee increased Australian equity in the mining industry and in other investment areas. That is why the consortium is pleased to abide by the requirements of the Foreign Investment Review Board. Let us look forward to seeing Australian equity re-established and expanded in that project.

The objections raised by the Liberal Party are even more incomprehensible when one recalls its track record and the policies that it has pursued in public forums in this country. Members of the Liberal Party rise in this Parliament and rail against foreign investment, yet they are the very same people who in recent times in public forums throughout this nation argued for the total removal of the Foreign Investment Review Board. They have also argued in favour of a laissez-faire, open-door, open-slather foreign investment policy. These are the people who enjoy tantalising public opinion with the

slight injection into the argument of the element of racism, which was evident in the debate tonight. By using the same tactic, they also prefer to disregard the economic advantages of the MFP. If ever there was a party dedicated to zero economic growth, it would have to be the Liberal Party—those purported free-marketeers who are more like Mouseketeers when one takes into account the analyses that they have put before the Parliament in relation to this important project.

So much for Tweedledum. I turn now to his offsider, Tweedledee, who came forward a little later to question the rationale behind the project. He queried whether public funds should be invested in the construction of the railway; whether or not the returns were being derived in the best interests of Queenslanders, and whether in fact the Government was contributing to a potential glut in steaming coal that is already available on world markets. I simply point out to the member for Moggill that the matters he raised are decisions that will have to be made by the private sector. The private sector has chosen to proceed with this project and has done so because it perceives that an economic return is viable. The private sector has decided to make an investment in infrastructure. The Queensland public is not paying for infrastructure; the private sector is. The honourable member is supposed to be an avowed free-marketeer, yet he is questioning the investment decisions made by private enterprise in relation to this project. I find his attitude unfathomable.

The issues that relate to this project are quite clear. This Government is committed to expanding Queensland's economic base, its employment opportunities, and its export capacity. Despite the pot shots that have been taken in some detail, the Opposition has been somewhat supportive of the Government's attitude towards this project. Indeed, on the radio this evening the former Minister for Mines and Energy, Mr Katter, congratulated the Queensland Government on its endeavours that are aimed at getting the project up and running. However, I am doubtful—although I dare say that my doubts will be resolved in a few moments—about where the Liberal Party really stands in relation to this project. It would not be the first time that the Labor Party has been unsure of where the Liberal Party stands on an issue. I wait with bated breath to see how members of the Liberal Party vote in relation to this project. I believe that the resolution deserves the support of every member of the Parliament.

Motion agreed to.

Resolution reported and agreed to.

LAND ACT AMENDMENT BILL

Second Reading

Debate resumed from 20 March (see p. 476).

Mr HOBBS (Warrego) (10.38 p.m.): I wish to discuss the direction in which the Labor Government in Queensland is taking land-owners in this State. First of all, let me suggest that in this modern day and age, when Governments should be looking towards the future, this Government is looking for guidance back to the old socialist philosophies of the forties and fifties.

Labor's absolute horror of Queenslanders owning freehold land so they have some security of ownership is well documented in *Hansard* and, more recently, by the imposition of a three-month freeze on freeholding.

At this time, there is no need for a freeze on freeholding at all. Land-owners who wished to convert to freeholding had the opportunity in the period from 2 December to 5 February to lodge applications. Prior to that, they also had time to lodge applications. The land tenure system in Queensland has been a good one. On previous occasions, people who have wished to convert to freehold have had the opportunity to do so.

It is my belief that, during the inquiry period, there would not be a rush of applications for freeholding; therefore, there is no need for the legislation which is before the House.

I have no objection to a review of Government policy. A review taken in a positive frame of mind can be healthy; a review taken with vengeance for some sectors of the community can only lead to uncertainty, a reduction in productivity and to a virtual halt in future development.

I will deal first of all with the feeling of uncertainty on the part of all land-owners simply because of the Labor Party's basic philosophy that land is the basic resource of the entire community.

The Premier fuelled that fire by commenting that the Government intended to get a fair return on the assets of the State and that periods of land tenure might be reduced to a maximum of 30 years. The ALP policy also makes it quite clear that the Labor Government would grant a lessee, at the expiration of his or her lease, a priority to retain under a new lease a living area only.

Those last three points that I have raised are enough to put uncertainty into the minds of all land-owners throughout Queensland. There is an urgent need for the Minister to assure those people that those three possibilities will never become reality. The uncertainty can be summed up simply in one question: do land-holders have security of tenure?

There is an urgent need for the Government to make a statement to the effect that security of tenure will remain the highest priority in any review or restructure of the Land Act. There is also a need for security for the employees who work on the land. Land-owners want to pay their employees reasonable wages and to provide them with reasonable living conditions. The legislation should ensure that land-based rural industries attract and hold a skilled work force. The Government should consider also the security that is enjoyed by the vast majority of manufacturers and non-rural residents in the community.

We believe that the Government should continue to implement established freeholding legislation which will gradually achieve that end by permitting the holders of perpetual leases and grazing selection leases to convert to freehold tenure at least that portion of the lease which does not substantially exceed a generous living area. Any cessation or restructuring of the current freeholding process would be an intolerably retrograde step that should not be entertained. In fact, by expediting the process of freeholding, the Government could enhance the sustainable economic growth of Queensland.

The other aspect of concern relates to a reduction in productivity for the State. At this stage, the legislation does not make land-owners confidence about increasing production. Who in his right mind would look to boost productivity and practise good land-care principles if his lease may be withdrawn, reduced or forfeited?

One of the Government's key faults in its handling of this issue relates to future development. Most future development will be put on hold while the Minister comes to grips with this tiger that he has by the tail. In the present circumstances in Queensland, what security can a developer provide to financiers when he seeks to develop a shopping complex, a residential estate or a property development, for which large sums of money are required? No-one knows if a site chosen for a development project will be eligible for long-term finance or whether the Government will impose restrictions on tenure which will make the financier so nervous that he will provide only limited finance for the project.

Many development projects now in the pipeline will be held up, and the effects felt perhaps in 12 months, 2 years, or even later. In turn, that will have an effect on employment opportunities for Queenslanders and also on the reputation of Queensland as a progressive, developing State. That good reputation has been a feature of our State for many years.

Because Queensland is a progressive State, many thousands of people have left southern States to come and live here. We do not want to damage that perspective. This freeze on freeholding is doing just that. There is no need to have a freeze on freeholding while the review of land tenure is being undertaken.

The Government has not taken seriously its responsibility for land management. Many land-owners have been placed in limbo.

The Minister announced the freeze on freeholding effective from 5 February, and it was proposed that it would last for three months. He now finds that that timetable is impossible. The Opposition has always opposed that freeze and has stated that the timetable was impossibly short. If the consideration of land-holders is to be taken into account, any effective review will take many months to complete and, should any major changes be recommended, they will take many more months to implement.

After all the submissions are received, a Green Paper should be put together on the Government's proposals so that they can be fine-tuned by land-owners and the public to make sure that Queensland gets the very best land tenure system.

At present, we have no firm idea of the direction in which the Government wants to go. Submissions are often selective. We need something which provides guidelines on which we can focus. If guidelines were put into place, more positive submissions would be forthcoming. That is why I believe that, later, a Green Paper would be more effective, because it would enable us to fine-tune or improve the land tenure system in Queensland. At present, Queensland does have a very efficient and effective tenure system—possibly the best in Australia. However, I can see that any review may bring out some important points that can in fact improve what we already have.

Land rentals must also be addressed. The rural industry in Australia, while being a major exporter, owing to droughts and market fluctuations has for decades been a hit-and-miss industry. In recent years, even the solid wool industry has taken a turn for the worst and, in an effort to support the industry, some wool-growers could end up having to pay one income cheque in every four to the Australian Wool Commission.

This is not a time to be looking to boost the State's coffers from land-owners who are struggling to make a living. We live in the driest continent in the world, in one of the harshest environments in the world. Yet statistics tell us that we are also among the most efficient. Governments must encourage future development and productivity, and contemplating putting the Queensland Treasury's hands in the pockets of those in a struggling rural industry does not instil confidence and security.

In recent years, land care has also become an important feature of land usage. Land-owners are often blamed for poor land-care principles. However, I believe that is unfair criticism. First and foremost, land-holders look after their land if they know they can keep it and they know that they will have security of tenure. They know that they will be able to improve and develop their land over a given period of time and, at the end of that period, they will be able to enjoy the rewards of their hard work and planning. Security of tenure will give them that possibility.

It is my view that 80 per cent of land-care problems in this State and nation are caused by outside economic pressures and 20 per cent by ignorance. On that basis, it must be obvious that a good, hard look must be taken at the problems involved in that 80 per cent of cases. A large portion of the outside pressures can be attributed to blocks that are of insufficient living area, which originated from land ballots and the cutting up of large leases into uneconomic parcels of land. We do not ever want to get into a position in which this may recur.

In this age of justifiable concern about environmental protection, it cannot be overstressed that inadequacy of property size is not only economically detrimental but also positively conducive to land degradation. This view is supported by Mr M. D.

Young of the CSIRO in a paper entitled *The Influence of Farm Size on Vegetation Condition in an Arid Area*. In that paper he states—

> "A study of the relationship between the condition of vegetation and property size in the Broken Hill area of New South Wales was undertaken to determine how restrictions on property size affected the condition of the vegetation.
>
> Generally, the vegetation of small properties is in poorer condition than that found on larger properties, and the managers of these properties tend to adopt more intensive stocking strategies.
>
> Environmental management policies which increase the levels of renewable resources, such as grazing land, available to managers are likely to lead to improvements in the relative condition of those lands.
>
> The size of the property (ranch) or farm managed by a pastoralist limits the income which he can receive. But pastoralists do not simply seek to maximise income; they also seek to ensure that they obtain adequate income in all years, so that family and other social needs are provided for. Nevertheless, ignoring the intangible factor, managerial ability, large properties tend to receive higher net incomes, and, because they realise greater economies of scale, are more profitable."

The economic ills of the industry can be assisted by an improved taxation system that gives incentive to all land-owners to put into practice good land-care measures. The other 20 per cent can be addressed with adequate education. There is no doubt in my mind that land-care awareness is much more prevalent now than ever before. I commend the various land-care groups throughout Queensland, particularly the United Graziers Association, for setting up and running the successful land-care competition. Land care, land tenure and the people are all linked together.

The Opposition believes that this Bill is not necessary at all. Freeholding has allowed sound development in Queensland over many years. This State has developed far more than the other States of this nation. We must ensure that freeholding is kept economically viable. People must be allowed to have security of tenure so that they can look ahead. People on the land must have a vision that allows them to improve their holding and must be able to say that they have security of tenure.

Debate, on motion of Mr Smyth, adjourned.

The House adjourned at 10.51 p.m.