NOTE: There could be differences between this document and the official printed *Hansard*, Vol. 321

THURSDAY, 5 DECEMBER 1991

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 10 a.m.

CRIMINAL JUSTICE COMMISSION

Report

Mr SPEAKER: Honourable members, I have to advise that today I received from the Chairman of the Criminal Justice Commission the report on an investigation into possible misuse of parliamentary travel entitlements by members of the 1986-1989 Queensland Legislative Assembly.

Ordered to be printed.

AUDITOR-GENERAL'S REPORT

Mr SPEAKER: Honourable members, I have to inform the House that today I have received from the Auditor-General the report on the audit of the Brisbane City Council and associated bodies for the financial year ended 30 June 1991.

Ordered to be printed.

PETITIONS

The Clerk announced the receipt of the following petitions—

Abortion Law

From **Dr Watson** (20 signatories) praying that action be taken to ensure that the law prohibiting abortion on request be enforced.

A similar petition was received from **Mr De Lacy** (80 signatories).

Mobile Mammography Testing

From **Mr Johnson** (136 signatories) praying for the urgent establishment of a mobile mammography testing and assessment unit for central and far-western Queensland.

Bayfield National Park

From **Mr Comben** (1 381 signatories) praying that the Parliament will put into operation, as a matter of urgency, the gazettal of the southern third of the originally proposed Bayfield National Park and make future additions to this initial gazettal.

Petitions received.

PAPERS

The following papers were laid on the table—

Order in Council under the Mines Regulation Act 1964-1989

Regulations under—

Health Act 1937

Surveyors Act 1977.

MINISTERIAL STATEMENT

Absence of Minister for Employment, Training and Industrial Relations during Question-time

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (10.04 a.m.): I have to inform the House that the Minister for Employment, Training and Industrial Relations will be absent from question-time.

SELECT COMMITTEE OF PRIVILEGES

Reports

Mr FOLEY (Yeronga) (10.05 a.m.): I lay upon the table of the House the report of the Select Committee of Privileges concerning the matter referred by Mr Speaker on 6 December 1990 where he requested that the committee report to the House on what measures, if any, are desirable to reform the law and practice in relation to the privilege attaching to parliamentary papers. The committee's report includes a draft Parliamentary Papers Bill. I wish to record my thanks for the contribution from all members of the committee—the deputy chairman, Mr Don Neal, the Honourable Bob Katter, Mr Darryl Briskey, Mr James Pearce, Ms Laurel Power and Dr David Watson. I wish to acknowledge the fine legal assistance given to the committee through the consultancy of Ms Marjorie Weber. The committee records its thanks to the acting Clerk-Assistant (Committees), Mr Rex Klein, and his predecessor, Mr Don Bletchly, and to Mrs Jan Warren of the secretarial staff.

I also lay upon the table of the House the report of the Select Committee of Privileges concerning the reference from Mr Speaker on 1 October 1991 in relation to the rights of citizens to petition the Parliament. I lay upon the table of the House accompanying material in relation to the letter from Mr Speaker to the committee together with attachments from Mr Colin Edwards, coordinator of Queensland Adult Retailers Association. In response to the questions asked of the committee in the reference from Mr Speaker, the committee answers as follows—

(1) Whether the removal of a petition to the Parliament or a page of a petition from the possession of a person intending to cause such a petition to be presented to Parliament is capable of constituting a contempt of Parliament.

The answer is, "Yes."

(2) Whether the signing by a person of his or her name on a petition to the Parliament without a bona fide intention to petition the Parliament thereby is capable of constituting a contempt of the Parliament.

The answer is, "Yes."

(3) Whether it is necessary or desirable to include these matters in the current review of the privilege attaching to parliamentary papers.

The answer is, "It is the opinion of the committee that the preparation and submission of a petition is sufficiently covered in clause 3 of the draft Bill attached as an appendix to the report on privilege attaching to parliamentary papers."

Again, I wish to record my thanks for the contribution from all members of the Privileges Committee in compiling this, the sixth report of the committee. As well, the committee records its thanks to the acting Clerk-Assistant (Committees), Mr Rex Klein, and to Mrs Jan Warren of the secretarial staff. I move that both those reports be printed.

Ordered to be printed.

Mr CONNOR proceeding to give notice of a motion—

Mr SPEAKER: Order! The honourable member cannot move the motion; he can seek that tomorrow he shall move the motion.

Mr CONNOR: I am sorry. I do so accordingly.

PARLIAMENTARY COMMITTEE OF PUBLIC WORKS

Reports

Mr McGRADY (Mount Isa) (10.07 a.m.): I seek leave to table two reports of the Parliamentary Committee of Public Works. The first report is on an inquiry into the proposal to build a 33-level office block at 111 George Street. In part, the report recommends that the State Government give serious consideration to the provision of child-minding facilities as well as mothering facilities in new State Government high-rise buildings and recommends that the Government encourage private developers to do likewise.

The second report is on an inquiry into the consultation and planning for schools and colleges between State and local authorities. I also seek leave to lay on the table of this House the transcripts of evidence taken at committee hearings into the matters discussed in these documents. I want to thank the members of my committee: Mr Lester, Mr Bredhauer, Ms Spence, Mr Livingstone, Mr Coomber and Mr Johnson. The committee also records its thanks to the staff of the committee's secretariat and the research director, Miss Carol Keliher. I move that the documents be printed.

Ordered to be printed.

PARLIAMENTARY COMMITTEE OF PUBLIC ACCOUNTS

Report

Mr HAYWARD (Caboolture) (10.08 a.m.): I have much pleasure in presenting the report of the Parliamentary Committee of Public Accounts on the management of funds earned on solicitors' trust accounts. This inquiry commenced on 28 May 1991 when the committee resolved to "examine and inquire into the management of solicitors' trust account funds in Queensland and the distribution and allocation of income derived from those funds by the Queensland Law Society Incorporated". The matter arose when the Auditor-General raised concerns about the appropriateness of certain accounting practices of the Queensland Law Society Incorporated with respect to its dealings with funds earned on solicitors' trust accounts. The committee has unanimously made three recommendations—

1. That the Queensland Law Society Incorporated no longer administer the moneys earned from funds held in solicitors' trust accounts.

2. That a new structure for the management of funds earned on solicitors' trust accounts be implemented.

3. That the Queensland Law Society Incorporated continue to administer the Legal Practitioners' Fidelity Guarantee Fund but without contributions from moneys earned on funds held in solicitors' trust accounts.

On behalf of the committee, I wish to thank all of those individuals and organisations that made submissions. The committee is also grateful for the cooperation of the Director-General of the Department of the Attorney-General and his staff, the Under Treasurer and his staff, the President and staff of the Queensland Law Society and witnesses who appeared at the committee's public hearings. The committee especially appreciates the work of its officer on secondment, Maria Cominos, and its research director, Dr Kevin Lambkin, whose endeavours contributed significantly to the committee's deliberations.

Finally, I also table the submissions received by the committee as well as the associated correspondence, and I move that the report be printed.

Ordered to be printed.

QUESTIONS UPON NOTICE

1. Wet Tropics Management Agency

Mrs SHELDON asked the Minister for Environment and Heritage—

"With reference to the Wet Tropics Management Agency—

(1) (a) How many consultancies and employment contracts has the agency engaged in the 1991-92 financial year to date, (b) what were these consultancies and employment contracts for, (c) what hourly/daily rates have been paid and (d) have all contracts and consultancies involved the calling of tenders and, if not, which contracts and consultancies did not involve a tendering process and why were tenders not called?

(2) (a) To date, how many overseas trips have been funded by the Wet Tropics Management Authority and Ministerial Council, (b) who went on the trips and in what capacity did they go and (c) is it planned that Wet Tropics Management Authority members undertake any overseas travel and, if so, under what circumstances and authority?

(3) Has the Wet Tropics Management Authority entered into any contracts with any other party and, if so, under what legislative authority is the Wet Tropics Management Authority issuing contracts?

(4) (a) What efforts are being taken to utilise the Queensland Forest Service Geographic Information System, (b) is the data on this computer system being updated and maintained and (c) is the Wet Tropics Management Agency utilising this system or are they acquiring a new computer system?

(5) (a) What approvals have been given by the Wet Tropics Ministerial Council for land acquisition, (b) when were the approvals given and (c) how much of the allocated money has been expended to date?

(6) Does the Queensland National Parks and Wildlife Service agree with the priority list for land acquisition drawn up by the Wet Tropics Management Authority and, if not, why are there differences of opinion?"

Mr COMBEN: Mr Speaker, I draw to your attention the fact that this question is actually in 18 parts. It is a lengthy answer. I seek leave to table it and have it incorporated in *Hansard*.

Leave granted.

1. (a) The Wet Tropics Management Agency has entered into eleven new contracts this financial year.

(b) These consultancies and employment contracts have been for a range of tasks directly related to ensuring Queensland can meet its obligations under the World Heritage Convention and the setting up of the Agency. Included in these are management planning, community relations and consultation, map production, recruitment, preparation of a corporate plan and assessment of information systems needs.

(c) Hourly or daily rates for the above consultancies have varied considerably based on the nature of the task and the skills and experience of the consultants or contractees involved. In some cases, different daily or hourly rates would have been paid to different individuals on a consulting team for a particular task. Precise details of every individual case will take considerable time to research and document and insufficient time has been given to gather this information.

(d) All contracts were made in accordance with the Queensland Government's Guidelines for the Engagement of Consultants.

2.(a) Nil

(b) Not applicable

(c) The formal agreement between the Federal and Queensland Governments for management of the Wet Tropics World Heritage Area establishes the Wet Tropics Management Authority with the paramount function and responsibility for

"achieving the primary management goal—the implementation of Australia's international obligations for the Wet Tropics under the World Heritage Convention".

It should be quite apparent then that in the fulfilment of that role it may be appropriate for a member of the Authority to travel overseas for the purpose of promotion or fact gathering.

Overseas visits by any Authority member should only be permitted where the mission has been the subject of a resolution by the Authority and funds have been approved by the Ministerial Council.

3. No. Under the Wet Tropics Management Scheme agreed to by the Federal and Queensland Governments, the Wet Tropics Management Authority is to be established as a statutory body. This is to be achieved by special Wet Tropics legislation to be introduced into Parliament by the Government next year. In the interim the Authority has a requirement for a contract, the contract is entered into by the Department of Environment and Heritage on behalf of the Authority.

4.(a) I understand the Queensland Forest Service is preparing the data on its Geographic Information System for use by the Agency under license to be held by the Department of Environment and Heritage.

(b) I understand that Queensland Forestry Service maintains the integrity of its data but has not updated its data. The Wet Tropics Management Agency will both maintain and update the data to which it will have access under the licence held by the Department of Environment and Heritage.

(c) The Queensland Forest Service data is vitally important to the management planning process for the Wet Tropics. The Wet Tropics Management Agency will utilise this data but does not intend to use the Queensland Forest Service computers which are located in Brisbane. The Wet Tropics Ministerial Council has approved the purchase of a suitable computer for the Wet Tropics Management Agency's office in Cairns.

5.(a) A list of ten priorities for land acquisition was endorsed by the Wet Tropics Ministerial Council.

(b) The Wet Tropics Ministerial Council members endorsed the acquisition priorities by correspondence following the recommendation of the Wet Tropics Management Authority at its meeting on 25-26 April 1991.

(c) $167,500.

6. An original list was drawn up by the Queensland National Parks and Wildlife Service for the Wet Tropics Management Authority. After negotiation between officers of the Queensland National Parks and Wildlife Service, the Commonwealth Department of the Arts, Sport, the Environment, Tourism and Territories and members of the Wet Tropics Management Authority, a final list of parcels to be acquired was agreed upon and submitted to the Ministerial Council for approval.

2. Regionalisation of Health Department

Mrs McCAULEY asked the Minister for Health—

"With reference to the drastic state of under-funding in the Health Department in Queensland which has led to a December 'shut down' in health services in this State with hospital wards and operating theatres and specialist services being closed for up to six weeks in an effort to save money—

Will he detail the cost of the implementation of regionalisation to date, on a region by region basis, detailing numbers of staff and their salaries and cost of capital expenditure for each region?"

Mr McELLIGOTT: Mr Speaker, the answer to the question is quite lengthy. I seek leave to table it and have it incorporated in *Hansard*.

Mr Veivers interjected.

Mr SPEAKER: Order! The member for Southport!

Leave granted.

I consider it incredible that the Member for Callide can again claim a drastic state of under-funding in Queensland Health when I have informed Honourable Members on many occasions how the Goss Labor Government is working to give real increases in the level of health care funding in this State.

The undeniable fact is that when the PSMC conducted its review of the then Queensland Department of Health in 1990, it found that Queensland Public Sector Health Services were the lowest funded of any State Health Service in Australia. That was the type of health service that the National Party was responsible for when Mrs McCauley and her colleagues were in power and that was the system which the Goss Government inherited and has worked so hard to turn around.

Queensland Health has been given a record Health Budget for the 1991/92 financial year—a 12.2% increase in funding to more than $2 billion.

That is the truth of the situation - negative growth under the last five years of the National Party Government—real growth in the first two years of the Goss Labor Government.

In regard to the short term scaling down of some services in a few small regional hospitals over the Christmas period, there is no need for concern or alarm. As I have informed this place before, doctors and nurses and other allied health professionals do like to take their holiday over Christmas—like the rest of us. Patients similarly choose not to be admitted to hospital during this period. As a consequence, there are less patients in hospitals so there is less service activity—but essential services are in place, 24 hours a day, seven days a week.

Scaling down the hospital operations over the Christmas period is a very sound hospital administration practice—and it has been the commonly accepted practice in Queensland over the past 3, 4 and 5 years—a fact Mrs McCauley conveniently chooses to forget.

Finally, to answer the specific question that Mrs McCauley has put, I can inform Honourable Members that regionalisation is cost neutral—as I have stated many times in the past. Quite

simply regionalisation is not a separate program with separate program budgeting. Regionalisation is the total fundamental restructuring of the administration of health services in this State. It is an administrative structure that other States are now recognising as the leading example of the best that has been achieved in Australia to date.

Any start-up costs of regionalisation are rapidly being offset by efficiencies and improvements in the delivery of health services at the local level. And we should not forget that the biggest cost savings have come from down-sizing the Central Bureaucracy which had grown fat under the Nationals, and by moving staff into Regions to build up service delivery.

So the costs of regionalisation are the costs to run Queensland Health—the new administrative and service delivery structure of Queensland Public Sector Health Services. And those costs are already spelt out in the 1991/92 Budget Papers for Queensland Health. I would hope Mrs McCauley has already taken the opportunity to read those important Budget Papers.

3. Forbes House

Mr SANTORO asked the Minister for Police and Emergency Services—

"With reference to the occupancy of Forbes House in Makerston Street by the Bureau of Emergency Services—

(1) Has a Fire Safety Certificate been issued prior to its occupancy or is this building currently being occupied by the bureau without all the necessary legally required clearances?

(2) If the certificate has been issued when was such a certificate issued?"

Mr MACKENROTH: I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

1. And 2.

The floors occupied by the Bureau of Emergency Services in Forbes House are covered by Certificate of Approval No. 52768 issued in accordance with the provisions of the Fire Safety Act. All the necessary clearances to satisfy all regulations have been issued.

This particular certificate was issued on 3rd October, 1991.

The Commissioner of Fire Services has advised me that Fire Service personnel began occupying the building on 22nd August, when building contractors indicated floors were ready.

All required safety equipment was in place and operative, including a sprinkler fire alarm system, but the stairwell pressurisation system, while functional, did not meet specification.

In order to ensure the safety of the occupants, special provisions were instituted whereby staff were delegated to secure the safety of the stairs by closing all doors to prevent ingress of smoke should a fire occur.

With these provisions in place the Fire Safety Officer could be satisfied as to "the means (other than for firefighting) with which the premises were provided for securing that the means of escape could be safely and effectively used at all material times".

The contractor was required to upgrade the system and on 30th August the Fire Brigade conducted further tests but the pressure in the stairs on fire mode was still below specification.

A notice of refusal was subsequently issued which allowed the building owner 30 days to appeal.

The system was re-designed and the certificate issued within the 30 days therefore no offence against the Act was committed.

The Commissioner further advises that the occupancy of the building under these conditions is not an uncommon practice. The Fire Service in the past have allowed occupancy of other buildings under similar circumstances.

4. Special Services Department, Ipswich Fire Brigade

Mr SANTORO asked the Minister for Police and Emergency Services—

"With reference to the recent closure of the Special Services Department of the Ipswich Fire Brigade which inspected and maintained fire extinguishers and hose reels on a yearly basis and on a pay for service basis—

(1) Will he confirm that the Special Services Department generated enough business to cover the payment of the four (4) fire officers previously employed by this department?

(2) Will he confirm if the business previously conducted by the department is now being conducted by a firm called Ipswich and District Fire Equipment Services?

(3) Will he confirm that one of the principals of this firm is the Secretary of the Ipswich Board of the United Fire Fighters Union (UFU)?

(4) Will he explain the rationale for the abolishment of the Ipswich Fire Brigade Special Services Department?

(5) How many other similar departments within the Queensland Fire Services have been closed down and what is/was their operational and financial status at the point of closure?"

Mr MACKENROTH: I seek leave to have the answer incorporated in *Hansard*.

Leave granted.

1. The Special Services Department of the former Ipswich Fire Brigade was engaged in the inspection and maintenance of privately-owned fire protection equipment on a commercial basis.

   There were such Departments only in the former Ipswich and Metropolitan Fire brigades. In 1985/86 The then Minister responsible for Fire Services had given a direction that these commercial operations were to be wound down and discontinued.

   The Special Services Department did not generate enough income during its last three years of operation to cover the wages and associated costs of the four officers previously employed in this department.

2. The business which the Department previously handled would have become available to any other contractor, and we have no way of knowing where this business was placed, but some of it may now be handled by a firm of that name.

3. The principals of this firm are unknown to me. However, there is no regulation which prevents an employee of the Commissioner of Fire Service from undertaking any other form of employment during the time when he is not on duty.

4. And 5.

   As I have indicated, the only other Special Service Department in the State was in Brisbane. The staff in this Department had been reduced from 11 to 4 between 1985 and 1990, and the Department, like the one at Ipswich, was operating at a loss. It was closed on the same date as the Ipswich Department, and, in both cases, the staff were transferred to other duties. Among other savings, 4 vehicles allocated to these Departments were disposed of.

QUESTIONS WITHOUT NOTICE

Criminal Justice Commission Report on Possible Misuse of Members' Travel Entitlements

Mr COOPER: I direct a question to the Premier. I realise that this report from the CJC has only just been tabled. I notice that it contains approximately 14 recommendations. Therefore, I refer the Premier to that report and to those recommendations, and I ask: what action does he intend to take on this report and its recommendations? In order to end any confusion that has existed over such entitlements, will he ensure that such action is taken promptly?

Mr W. K. GOSS: I have not yet had time to digest the report. However, I have noticed that at the back of it there are a number of recommendations. Firstly, I make this point: the CJC has had a difficult climate of rumour and nasty expectation within which to operate. From a quick look at the report, it would appear that there are clearly two tasks to be undertaken. The first task is to ascertain whether or not there has been any breach of the law or whether action should be taken against any of several members from each of the three parties of the 1986-89 Parliament. The report seems to come to the conclusion that there should not be any action taken and that there has not been any breach of the law.

The second task is to ascertain whether the system should be made more accountable. As I say, towards the end of the report there are a number of recommendations. These, I think, will have to be the subject of close study by all of us, but ultimately we will have to ascertain to what extent there is a role for the Government and to what extent there is a role for the Speaker, because a number of these matters, particularly those in relation to the role of the Clerk, and various other matters which are the subject of recommendations and indeed some criticism, should be properly dealt with, firstly, by the Speaker. In answer to the question—we will certainly study the report and the Government will take whatever action is appropriate. I notice that a process is recommended whereby the Executive Council should take certain action, but only after consultation with the Parliamentary Service Commission, the accountable officer, the Auditor-General and the Premier's Department. I believe that the aspect in respect of the Parliamentary Service Commission should be highlighted, because this is something for which the representatives of all parties should take responsibility in terms of tightening the system. I give the previous Premier Mr Ahern some credit, but I also give credit to the current Speaker.

This morning, I called for and have been given copies of the current documentation that members are required to complete. It seems as though there has been a substantial tightening of the accountability in the system. Clearly, there seem to be recommendations that further action should be taken. We will certainly be happy to support that course after appropriate consultation with the Parliamentary Service Commission and the Speaker. We will support that for two reasons: firstly, so that there can be greater accountability, and, secondly, so that in this place and, indeed, in the community we can move on from the climate that has prevailed over the past four or five years in which members of all three parties have been subject to some quite nasty, unfortunate and—I would hope and believe—untrue rumours.

Employment Prospects for Graduate Teachers

Mr COOPER: I direct a question to the Minister for Education. This week, in light of the fact that over 2 000 teaching course graduates were facing unemployment, his Government provided jobs for an extra 850 teachers. Over the next two weeks, more than

34 000 young Queenslanders will be leaving secondary school for the last time and entering a market in which there is already over 25 per cent unemployment among young people. I ask: how does the Minister's Government intend to deal with the fact that those young people will join 19 000 other young Queenslanders facing bleak job prospects?

Mr BRADDY: As to the first part of the honourable member's question—in this week's Cabinet ruling, the Government has not provided for any further teaching jobs, as was done in the Budget whereby 472 new jobs were created. The Government has changed its policies and strategies to provide opportunities for new graduate teachers. The Government expects that, with changing strategies and new jobs being provided in all categories, during the course of 1992 about 1 500 jobs will be provided for teachers in the Government schools of this State. The Government believes that that will be done in an innovative and sensible way which will provide significant numbers of graduate teachers with employment opportunities. As to the honourable member's general question—during the course of this year, the universities, the Office of Higher Education and my office conducted a survey into the future of the teaching profession. Clearly, there has been a big turn-around from two years ago when the National Party was in office. At that time, about 2 300 teaching jobs were available each year. Fewer jobs are available now, with most teachers staying on in the service. As I have indicated several times in this House, very few teachers are taking early retirement or resigning.

The universities were encouraged by me—and they have responded—to tailor the numbers in their education course, which is the only part of their responsibility that touches on my ministerial responsibility, to the realities of the present day when not as many jobs are available through retirement and resignation. In that way, the Government has been very successful. We have worked together on this matter. This does not mean that fewer university places are available; it means that fewer university places are available in the education faculties of the universities of this State, and that, whilst the current resignation and retirement rate of teachers remains as it is, potential students will be encouraged to go into other areas. That is my responsibility, which I accepted. It is a rational way in which to approach the matter. The university places that will be forgone in relation to the education profession will be available to boost numbers in other faculties in the various schools and departments of the universities of this State.

Proposed Recycling Program, Rockhampton

Mr SCHWARTEN: I direct a question to the Minister for Environment and Heritage. As he is aware, the Rockhampton City Council has submitted to his department a proposal for the funding of a recycling program. I ask: could the Minister advise whether he views that submission favourably? If so, when is he likely to make a decision on this matter?

Mr COMBEN: At the regional Cabinet meeting on Monday, I certainly had a very amicable and productive meeting with representatives of the Rockhampton City Council who have sought a considerable amount of funding for a recycling scheme in Rockhampton. I must say that it is probably the most comprehensive scheme proposed for a local authority area anywhere in Queensland, and the Government is looking at it very positively. It is along the lines of that recycling scheme sought by the honourable member who asks the question and by Mr Jim Pearce, the member for Broadsound. The Government will certainly be supporting the scheme—to what extent, I cannot yet tell, because of the amount of funding available, but it will certainly be substantial support. I would hope to make a decision on that before Christmas.

Shortage of Developed Land in Rockhampton

Mr SCHWARTEN: I thank the Minister for his answer. I ask the Deputy Premier, Minister for Housing and Local Government: is he aware that the Rockhampton economy is booming and that, as a result, there is a shortage of developed land? If so, could he advise what steps he has taken to address this issue?

Mr BURNS: At the urging of the local member, the Government bought 16.7 hectares of land from a private developer. The property, which is zoned Future Urban, is well located in a preferred growth corridor. Major shopping centres are nearby, and convenience shopping facilities are proposed on land along Old Norman Road across the road from the site. Private-sector developers are developing nearby. At the Cabinet meeting on Monday, the Government decided to undertake a subdivisional development that features a mix of allotment sizes, including some prestige sites on the steeper land, standard residential blocks of 600 square metres, courtyard blocks of 450 square metres, villa allotments of 300 square metres and townhouse sites. Some pensioner accommodation and possible student housing can also be provided. The principles of the Australian Model Code for Residential Development—Green Street—will be used. In line with Government policy, about 20 per cent of the developed site will be used for Government housing and the balance will be sold to the private sector by various means, including the Project HOME scheme, which targets first home buyers. We should call for expressions of interest on 2 February. The honourable member for Rockhampton North was instrumental in pushing the Government to buy land, because he keeps advising my department of the growth in the Rockhampton area—the growth from the magnesite manufacturing, or value-added, industry and, of course, from the increase in mining in central Queensland. He realises that there will be a need for further housing and that land is a major component. The Government is moving to address that problem.

Ministerial Expenses

Mrs SHELDON: I ask the Premier: will he seek a meeting with the CJC Chairman, Sir Max Bingham, to seek the names of any members who are now Cabinet Ministers referred to in the report on travel allowances tabled in the Parliament today? Will the Premier also give a commitment to stand down any Minister who has been found to be using his or her travel allowances for private holidays? If the Premier does not stand down any Minister for abusing public funds, can the people of Queensland expect that any act by his Ministers which, although not technically illegal, is clearly an abuse of trust and is immoral will be tolerated?

Mr W. K. GOSS: Quite some time ago—I think it was last year—I raised with Sir Max Bingham the issue of the conduct of Ministers in a general sense, because a nasty rumour was going around last year about one of my Ministers—not in relation to this travel issue but in relation to another matter. There was a suggestion from certain sections of the media that that particular Minister was being investigated for something. Sir Max assured me that there was no truth to that rumour, that there was no investigation under way in respect of that Minister. I said to him that I assumed, however, that if any Minister was at any time guilty of some breach of the law or had been engaged in improper conduct I would hope that Sir Max Bingham and the commission would draw that to my attention at the earliest appropriate opportunity because I would feel an obligation to take appropriate action, whether it be to call on the Minister to explain the conduct and/or to stand the Minister aside, which obviously would be the ultimate action that would be taken. Sir Max Bingham confirmed to me that, if there was an occasion on which it had come to the attention of the Criminal Justice Commission that any Minister in my Government—or, I

presume, any Government—had been guilty of improper conduct, he would draw that to my attention or to the attention of the Premier of the day so that action could be taken.

I am pleased therefore to say that Sir Max Bingham has not contacted me to advise that such a circumstance operates in this particular case. I am very pleased and relieved to hear that, because I did not believe some of the rumours that were circulating in relation to prominent people in the party of the member for Landsborough, just as I did not believe those rumours that I heard from certain sections of the media about people in my own party. I am relieved to have that situation confirmed in the report—that there has been no action that warrants criminal proceedings or other proceeding being taken against any member. I am further relieved, of course, as I said before, that, in the light of the conversation that I had with Sir Max when he agreed that, if any Minister had at any time engaged in improper conduct, he would draw that to my attention so that I could take appropriate action, he has not contacted me. He has not drawn any improper conduct by any Minister to my attention, so there is no basis on which to take any action.

In relation to this Government's track record on accountability—we have a track record of which we can be proud, firstly, through the abolition of ministerial credit cards and cash advances which, on occasions, is a real inconvenience for any person in the position of a Minister both at this time and in the future. It was, if you like, an overcorrective action taken by the Government. Because of a lot of the accusations that flew about in the time of the previous Government, when there was an automatic assumption that anybody who had a ministerial credit card or had a cash advance had it for the purpose of abuse, that action was taken. Generally, in relation to ministerial expenses—we saw for the first time ever, or certainly for the first time in a long time, mention of them in a recent report of the Auditor-General. I will quote briefly one paragraph in relation to ministerial expenses in the most recent report of the Auditor-General that was tabled in the past week or two, in which he talked about the Ministerial Expenditure Unit that has been established at Treasury to provide a central point for processing and recording all expenditure incurred by officers of Ministers. The Auditor-General said that the unit has—

> ". . . provided a high level of accountability and control over expenditure by Ministers and their staff. The main control feature of the Unit is its independence from the various Ministerial Offices which enables it to perform an effective checking function to ensure compliance with the approved Guidelines.
>
> The audit of the accounts of the Ministerial Expenditure Unit for the 1990-91 financial year showed that its checking and control functions were being effectively performed and overall results of the audit of this Unit were satisfactory."

The Government has a good track record when it comes to ministerial expenses compared with the system that operated under the previous Government from 1986 to 1989 when none of us were Ministers. During the term of the previous Government, problems were detected with that system. The then Premier acted to tighten the guidelines. As I said before, the current Speaker has acted further to tighten the guidelines. I think that the current documentation is quite adequate and reasonable but, given the CJC recommendations, we will certainly consult the report and, if necessary, Sir Max Bingham. My attitude is that we would consult with the member for Landsborough and the Leader of the Opposition to ensure that there is an appropriate response to the report and the recommendations that have been tabled today.

Criminal Justice Commission Report on Investigation into Parliamentary Travel Entitlements

Mrs SHELDON: I refer the Premier to page 83 of the CJC report in which Sir Max Bingham refers to members' "deliberate abuse of their entitlements" and page 82 of the report in which Sir Max concludes—

> " . . . many of the journeys undertaken by Members were utterly indistinguishable from those which one might expect to enjoy during annual holidays."

I further refer to the Premier's long campaign when in Opposition to whip up public outrage about former National Party Government Ministers who he claimed had their fingers in the till. I ask: could the Premier explain to the people of Queensland why he is now seeking to protect ALP members who may now be Ministers and who appear to have abused public funds in much the same fashion as four National Party Ministers who have been sent to prison?

Mrs Bird interjected.

Mr Coomber interjected.

Mr SPEAKER: Order! The member for Whitsunday and the member for Currumbin!

Mr W. K. GOSS: I am not seeking to protect any member of the Liberal Party who was the subject of this most recent investigation, nor any member of the National Party or Labor Party. What we have consistently argued is that, where allegations of this kind exist, they should be the subject of independent investigation and action by the appropriate law enforcement authorities. What happened during the time of the previous Parliament was that an independent investigation and independent action was initiated with the commission of inquiry, and, ultimately, pursued by the Special Prosecutor. This occurred quite independently of the then National Party Government and, subsequent to the election in 1989, it was continued by those law enforcement agencies quite independently of the Labor Government.

What has happened in relation to this investigation of members of the Liberal Party, National Party and Labor Party is that, once again, an independent investigation has been carried out by the Criminal Justice Commission—a body with unprecedented powers of investigation in this State. That body has found that there is no basis for the kind of action to be taken in this case that was taken in the previous cases. I am relieved for those members of the Liberal Party who were the subject of investigation, just as I am for the members of the other two parties who were also the subject of investigation. The fact is that no protection or special treatment has been afforded to any member of the 1986 to 1989 Parliament. What occurred is the same as occurred before—an independent investigation. The fact that the honourable member is bitterly disappointed that no-one has been the subject of criminal charges is not our fault. We have allowed an independent investigation into this matter to occur. It has gone on for more than a year and no breach of the criminal law has been detected. The people who were the subject of those rumours are now entitled to regard themselves as having been cleared.

Accommodation on Thursday Island

Mr BREDHAUER: It is with some reluctance that I refer the Deputy Premier, Minister for Housing and Local Government to the ongoing concerns about the lack of housing and accommodation available on Thursday Island, which has been exacerbated by the closure of the Jumula Dubbins Hostel, and I ask: can he advise the House of any steps being taken by his department to alleviate this serious concern?

Mr BURNS: I am advised that the Jumula Dubbins Hostel has been operated with funding through Aboriginal Hostels Limited. It was closed recently because it required

major refurbishment. The assessment of the cost of upgrading the accommodation is being made by Aboriginal Hostels. I am advised that no decision has been made on when the hostel will reopen. The matter is obviously one for decision by the Federal Government. However, my colleague the Honourable Minister for Family Services and Aboriginal and Islander Affairs will no doubt investigate the need for the facility further and take it up with her Commonwealth counterpart.

The honourable member invited me to Thursday Island after the local government elections last year. I visited Horn and Thursday Islands and saw at first-hand the housing needs of the community. I gave a commitment to the Torres Shire Council, the honourable member and community members that I would investigate whether my department could construct public housing on land to be acquired on either Thursday Island or Horn Island. Since then a senior officer of my department has visited the island with representatives of the Department of Family Services and Aboriginal and Islander Affairs and had further discussions with the Islander Coordinating Council, the shire council and all the local housing associations. Since then the department has had discussions and negotiations have continued. I understand that the Lands Department has some service land at Wasaga on Horn Island. My department has expressed interest in acquiring this land. However, I have been advised that there is a possible impediment to any development of Horn Island, because there is a proposed land claim over the Crown lands by the local Muralag Tribal Association. The association's principal representative is currently mounting a legal claim for recognition of claimed traditional ownership over Horn, Friday, Prince of Wales and Entrance Islands.

My department has discussed the proposition of public housing construction and possibly homes for sale financed under the Government's HOME program on Crown land at Wasaga with the principal of the Muralag Tribal Association and negotiations are still taking place. Some land owned by the Overseas Telecommunications Commission near Port Kennedy on Thursday Island is currently on the market. We would like to buy it, but we understand that ATSIC is keen to acquire the site, which is estimated to have a potential for 70 houses overall. The big problem is the shortage of land.

Mr Gunn: It is very expensive land.

Mr BURNS: I know. My department and the Aboriginal and Torres Strait Islander Commission are currently discussing the possibility of a joint venture because of the costs. I must point out that there is no quick-fix solution to the existing housing problems. Shortage of land is the major problem on Thursday Island. The honourable member raises the matter with me continually. Previously there has been no presence from my department on the island, but I will try to do something as a result of the honourable member's representations.

Torres Strait Electricity Supply

Mr BREDHAUER: In directing a question to the Minister for Resource Industries, I note the Goss Government's commitment to providing services to remote communities, and I ask: what is the current status of the Goss Government's project which will provide electricity to the islands of the Torres Strait?

Mr VAUGHAN: I thank the honourable member for his question because I appreciate his interest in the electricity supply project that is under way on the islands. I inform the House that this morning Executive Council approved the contract. A south Townsville firm, Civil and Marine Engineers, was the successful tenderer. The contract is worth $7.14m and creates 2 000 man-weeks of work. Civil and Marine Engineers will build 13 diesel-fuelled power stations on 13 islands and upgrade the out-of-date Coconut Island hybrid system. More than 3 000 Islanders will have mainland quality electricity by the end

of 1993 and some by the latter part of 1993. Work is already under way in relation to the distribution system on the islands. The FNQEB is responsible for that system and I understand that 50 per cent of the connections and installations have already been completed. Australian Construction Services are responsible for wiring the houses on the islands. I point out that, in September this year, I visited Moa Island and Yam Island to inspect progress of the installation and found that everything seemed to be going very well. In April last year, I visited the islands as a preliminary step before the work was undertaken. I am very pleased with the progress that has been made. I sincerely hope that when the project is completed, everybody on the islands will be very happy with the installations.

Guidelines for Ministerial Expenditure

Mr BORBIDGE: I refer the Premier to the CJC's report on parliamentary travel, and also to a recent EARC report on public sector auditing which calls for all ministerial guidelines to be tabled. I refer also to his commitment on 6 March 1990 to table ministerial guidelines. I ask: in view of the CJC's report and his commitment to accountability, when will he table his guidelines for ministerial expenditure?

Mr W. K. GOSS: I expect that it will be done quite soon. However, in relation to the member's concerns about ministerial expenses, let me again remind him that not only has this Government taken action in respect of credit cards and cash advances and has established an independent unit within Treasury to scrutinise and control this expenditure but also, and unlike the Deputy Leader of the Opposition when he was a member of the previous Government, this Government has subjected those expenditures to independent audit by the Auditor-General after the MEU has been over the figures. The results are contained in the verdict given by the Auditor-General in his most recent report—that is, that this Government has established a high level of accountability. The expenses that were tabled recently in relation to Ministers, the details of what they are entitled to claim, and the amounts that are covered by ministerial expenditure present an adequate level of accountability, but in relation to the general guidelines and code of conduct that are incorporated in the Cabinet handbook—which is a much more substantial document—the whole document is getting close to being released. Over recent months, its release has been delayed, but I hope that in the near future I will be able to table the whole document, which includes, of course, the material to which the member refers.

Brisbane Casino

Mr BORBIDGE: In directing a question without notice to the man who calls himself the Treasurer, I refer to his statement made in Parliament on Tuesday, which reads as follows—

> "Harrah's are attempting to secure equity for their Brisbane casino bid from a wide range of sources in Brisbane, including Suncorp."

I refer the Treasurer specifically to page 13 of the casino tender document, which states—

> "Full details of formation of capital must be provided and be accompanied by statements from reputable, independent and qualified sources indicating that the equity capital and loan funding as proposed can be raised."

I ask: why are his statements to this Parliament a contradiction of his own tender document? Why, therefore, is Harrah's being given preferential treatment in its application for the Brisbane casino licence?

Mr De LACY: In answer to the question from the person who calls himself the loyal Deputy Leader of the Opposition, I simply say, firstly, that Harrah's is not being given any preferential treatment. Secondly, I have not had a look at its submission and I do not know whether or not it meets the guidelines that were spelt out in the tender documents. That is a matter that the evaluation committee will determine in due course, as it will in relation to all the companies that have tendered for the casino. In respect of the general questioning by the Deputy Leader of the Opposition, let me say that, as I said yesterday, an anonymous letter has been used and the Deputy Leader of the Opposition has probably milked everything out of it that he can, although there are a few full stops and commas that he has missed. However, if he has something else to ask, he should give me the question now and I will answer it. After that, I think we will probably be able to go away for Christmas.

Brisbane River

Mr FOLEY: In directing a question to the Minister for Environment and Heritage, I refer to the report in yesterday's *Courier-Mail* on the proposal in a forthcoming discussion paper on Brisbane River management for a simple management structure to coordinate more than 30 agencies to control Brisbane River activities. I ask: what action is being considered to achieve the goals of effective river management, namely, ensuring clean and safe water for domestic use; ensuring that no discharge degrades the water resource; and ensuring the river's biological integrity—particularly where it flows past the garden suburbs of the Yeronga electorate abutting the river?

Mr COMBEN: Again, this House is hearing about the garden suburbs of Yeronga. If those suburbs are as good as the honourable member says, I can inform him that I still have some funds left in the national parks acquisition program. The report to which the honourable member refers in yesterday's *Courier-Mail* relates to the concern felt for some time by this Government about the 37 different Government and non-Government agencies that are involved in one way or another with management of the Brisbane River. For too long, there has been a lack of coordination and direction in the river—apart from the way it flows—and the Government has been seeking to coordinate the management groups. In June, a very substantial meeting was attended by representatives from the 37 Government and non-Government agencies involved. The Government sought their views on how to manage the river most effectively in a coordinated fashion.

From that point, we have developed a discussion paper which has gone to Cabinet and which I will be releasing as soon as it is printed. Hopefully, that will be within the next few days. There will be a public consultation period of some three months and, at the end of that period, I hope to be able to have a structure along the lines of a decision-making body of three or four departmental and public representatives, a consultative committee and a general management committee. The general management committee will comprise representatives of the various agencies involved with certain matters relating to the river. If we are talking about something well up the river, such as an extraction, then the agencies and non-government agencies involved would be represented on the consultative committee. If we are talking about something down towards the port, then obviously the Department of Transport, the port authority and the community will be involved. The prime aims of the management plan and the management system are to ensure that the river is a biologically acceptable system, that it has clean water, and that it can be used for recreation and industry. I assure the honourable member that the garden suburb of Yeronga will be well serviced, well watered, and certainly appropriate for acquisition as a national park.

Recycling of Waste Products in Brisbane

Mr FOLEY: I refer the Minister for Environment and Heritage to concerns expressed to me by residents in the Yeronga electorate over waste management and, in particular, the need for recycling of products in the Brisbane area, and I ask: what action has been taken to facilitate the recycling of products in the Brisbane area?

Mr COMBEN: In answer to the honourable member's question—the right honourable Lord Mayor of Brisbane, Alderman Jim Soorley, and I are concerned about the current level of recycling in Brisbane and, of course, in the State. Alderman Jim Soorley has established a recycling task force within the Brisbane City Council. That task force is now cooperating with the Department of Environment and Heritage. It is certainly the vision of both the Lord Mayor and me that within about two years we will have in place recycling schemes involving 100 per cent of the houses in Brisbane. At present, two pilot projects are being undertaken—one in the far-southern suburbs around Coopers Plains, and the other in the northern suburbs around Nundah. Those projects incorporate about 20 000 or 30 000 houses. However, if resources are increased, if a better price can be obtained for some of the products, and if there is some inventiveness in the system and style of the recycling, the belief is that those recycling schemes can be expanded to cover many areas of Brisbane—and hopefully the entire area of Brisbane—including suburbs such as Yeronga, which is one of the well-known garden suburbs of Brisbane. I certainly hope that within two years that scheme will be in place. Both the Brisbane City Council and the State Government are committed to 100 per cent recycling of products in the refuses of the Brisbane City Council and will do everything to promote that within a given time-frame.

Employment of Teacher Graduates

Mr LINGARD: I refer the Minister for Education to his answer to the question asked by the Leader of the Opposition and to the anticipated resignation of approximately 1 500 to 1 750 teachers after 1 July 1992. Preliminary Budget figures in the Minister's department show that he has budgeted for a replacement of 900 teachers at that time. Clearly, the Minister has now decided to advance the extra 850 teacher appointments necessary at that time to the present time to overcome the embarrassment of teacher graduates who cannot find positions. Will the Minister give an absolute guarantee that he will appoint 850 teacher graduates now and then appoint an extra teacher for every resignation he receives after 1 July next year? This will show that the Minister is honestly appointing an extra 850 teachers at this time and not just replacing teachers who resign during 1992.

Mr BRADDY: Again, the honourable member has demonstrated his capacity to not understand the facts that I have clearly explained. The Government has made it very clear that over the course of 1992 it would expect that the new teacher positions for which funds have been allocated in the Budget, resignations and retirements, and the opportunity for other teachers to extend their special leave, will provide 1 500 places. That is the Government's estimate. I have made it very clear that of those 1 500 teacher positions, 472 are new positions funded in the current Budget. The Government has never suggested at all that the other approximately 1 000 positions are new positions. They are replacement positions for those teachers who have resigned or retired. The Government has targeted these positions towards the graduates who started their studies in a climate of employment in which about 2 100 jobs a year became available owing to retirements and resignations. That climate has changed substantially because the priority that has been given to education has meant that the resignation rate has more than halved. Can the honourable member please understand that 472 of these teacher positions are new

positions funded in the Budget. The remainder are resignations and retirements. The Government will, by innovative and sensitive employment practices, target the recent graduates. Some of those positions will not become available from the beginning of the school year but, as indicated, they will become available throughout the course of 1992.

School Libraries

Mr LINGARD: I refer the Minister for Education to the many community complaints and also articles in the *Courier-Mail* by Susan Hocking about the book *Breaking Up*. He is allowing this book in school libraries in Queensland, even though it contains explicit articles about masturbation and oral sex by a 12 year old. In answer to complaints the Minister has advised—

"The novel is written with integrity, the humour is natural and the writing is sensitive."

The Minister has said that the book will not be removed from library shelves because—

"That would deny all students the right of choice."

I ask: is this going to be the Minister's criteria for all books in school libraries?

Mr BRADDY: One thing that is very clear is that, under this Government, Ministers of the Crown do not set themselves up as censors or as people who devise curriculum. In relation to curriculum, I will not follow the precedent set by the previous National Party Minister, who took it upon himself to decide what was in every case referred to as "appropriate"—in relation to creation science, for instance. The responsibility is there to look at any books that go into school libraries. The fact that one book has been singled out has meant that people went back and had a look at it. Guidance is given as to where it should be made available and on the ages of the children to whom it should be made available. The director-general and others in the Education Department have the responsibility to make sure of that. The situation would become far worse if, on every occasion someone took objection to a part of the curriculum or a book used in the library, the Minister was called upon to be the infallible guide as to what are his or her own personal beliefs in these matters. I have every confidence that the Education Department can manage the curriculum well, that the library resources are well managed, and that that will continue to be the case.

Effect of GST on Thoroughbred Racing Industry

Mr BEATTIE: I refer the Minister for Tourism, Sport and Racing to the statement made by the honourable member for Burdekin in the House this morning about the thoroughbred racing industry, and I ask: has he received any correspondence from the industry in relation to the effect of the GST?

Mr GIBBS: It is true that there is great concern in the thoroughbred industry about the effects of the GST. Following the fairly irrational outburst of the honourable member for Burdekin this morning, I felt it would be responsible of me to advise Parliament and the industry of the various disastrous effects that the GST will have. This morning, I had faxed to me from the Australian Bloodhorse Breeders Association the following letter—

"Dr John Hewson,
Leader of the Opposition,
Parliament House,
Canberra, 2600.

Dear Dr Hewson,

The Australian Bloodhorse Breeders' Association wishes to register a strong protest against the impact of the proposed Goods and Services Tax on the Australian thoroughbred breeding industry.

The tax would be detrimental to the thoroughbred breeding industry and thoroughbred breeders in a number of ways—principally through the added costs facing breeders to raise and sell a yearling and the added cost to buyers on the sale price of a horse.

Vendors are facing a further 15% drop in the price of yearlings once the tax is introduced as buyers will reduce their bids to compensate for the GST added to the cost of a horse on the fall of the auctioneer's gavel.

Yearling sale prices have fallen dramatically in the past two years. The average price the 4414 yearlings sold at major auctions in 1989 was $27,383; for 4705 sold in 1990 it was $17,620 and for the 4260 sold at major auctions in 1991 it dropped to $12,660.

This fall in prices is reflected in all aspects of the breeding industry with a dramatic drop in stallion service fees and other income putting further pressure on thoroughbred breeders.

It has become very difficult to attract buyers and this added tax on the purchase price will make it even harder for vendors. Australians already have the option of buying GST-free yearlings from our nearest and closest competitor New Zealand.

Australian-based thoroughbred owners who buy yearlings in New Zealand are lured by the favourable exchange rate and GST exemption. A GST on Australian horses will only encourage further buying off-shore and make it almost impossible for vendors to compete against NZ.

Australian breeders do not have such a ready-made export market (the poor prizemoney in NZ hardly encourages NZ buyers to shop for horses in Australia) and your plans will hurt an industry that does so much to contribute to the economy. (Turnover between $14-15 billion annually, 100,000 employed and as many as 90,000 thoroughbred owners— * Source: DITAC Backing Winners report prepared by ACIL, November 1991).

The ABBA asks that you make the sale of thoroughbreds and fees paid for stallion services GST exempt. This is vital if we are to safeguard the livelihood of the many people employed in the Australian thoroughbred breeding industry.

Yours sincerely,

Colin McAlpine AM,

President,

Australian Bloodhorse Breeders' Association.

CC: Shadow Treasurer Mr Peter Reith."

That conclusively shows the genuine concern among those in the thoroughbred breeding industry about the effect that this GST will have on one of the most important industries in Australia and in this State. The longer this debate goes on and that lot on the Opposition side bury their heads in the sand on this issue and continue to support Dr John Hewson, the further their electoral stocks will slump as next year's election approaches.

Proposed Heritage Legislation

Mr BEATTIE: I thank the Minister for his answer. My next question is to the Minister for Environment and Heritage. I ask: in view of the sunset clause in the Heritage Buildings Protection Act 1990, which specifies 12 March 1992, what progress is being made with the new heritage legislation?

Mr COMBEN: Substantial, effective and long-term progress is being made with the new heritage legislation. We are presently undertaking the actual drafting of that heritage legislation. The authority to prepare a Bill has been to Cabinet and it has been announced. We expect that a draft Bill will be available for public discussion and comment very early in the new year. I should be able to introduce it in February, in time to be able to proclaim it before the date mentioned in the sunset clause, and therefore not provide a window of opportunity to anyone who wants to raze buildings in Brisbane or anywhere else. It has been a long process and I would like to express my appreciation to associations such as the Builders Owners and Managers Association, developers, community groups such as the National Trust and individual members of Parliament such as the honourable member for Brisbane Central, for their support and constructive comments. Out of a very long consultation period—one that has now taken twice as long as I first anticipated—we will have the best heritage protection legislation of any State in Australia.

Rail Freight Centres

Mr JOHNSON: In directing my first question to the Minister for Transport—if he is awake; yes, he is—I refer him to the opening of the 49 freight distribution centres for Queensland Railways and the obvious pride that he has displayed in this initiative, and I ask: is the Minister aware of the complications and inconvenience that have been caused to customers of Queensland Railways throughout the State, more so in northern and western areas, since the introduction of these freight centres? Is he aware of the exorbitant increase in rail freight charges since the introduction of this service? Will he address these concerns with a view to reducing the charges and making rail freight more accessible to all of Queensland?

Mr HAMILL: As I was not taking detailed notes, I may not answer the honourable member's questions in the exact order in which he asked them, but I will cover the points raised in those questions. In relation to the small-freight business of Queensland Railways—last year, income from small freight was $15m. The cost of providing small-freight services in Queensland by Queensland Railways was $112m. In other words, those people who benefited from those small-freight services provided by Queensland Railways received a very substantial subsidy indeed.

Mr FitzGerald: Close the lot down, why don't you?

Mr SPEAKER: Order!

Mr HAMILL: Mr Speaker, I take note of the call from the member for Lockyer to close down country rail passenger services. I hear him call upon this Government to close down country freight services. Let me assure the honourable member that this Government will not take any notice of him on this question—or, indeed, on any other questions, for that matter. The distribution network for small freight is being put in place progressively across the State. Not all of the freight distribution centres and the consequential door-to-door links are fully operational yet, but they will become fully operational over the next few weeks. We are already seeing, particularly in country areas, a significant upturn in the small-freight business being handled by Queensland Railways. I am advised that, since the introduction of those services in the Hughenden area, small-freight business in that area has increased by three tonnes, or 25 per cent.

Mr Hobbs interjected.

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

Mr HAMILL: So those freight centres are providing a very useful service, particularly for country people. With respect to the question of charges, let me make the point to the honourable member for Gregory, who I thought may have known a little better, that freight charges to railway stations will increase by an average of 3 per cent. A new schedule of charges was introduced for those customers who wanted to avail themselves of door-to-door services. Therein lies the fundamental issue in this matter. There is a choice for customers. They can take their freight to a railway station, which was the only service offered when the former National Party Government was in office—it would not provide a door-to-door service—or they can opt for that door-to-door service and pay for it accordingly.

Employment of Guidance Teachers

Mr JOHNSON: I ask the Minister for Education: as a result of the recent high-handed approach by the Queensland Government whereby it threatened that guidance teachers would receive recommended award restructuring only if they agreed to work over the Christmas holidays, will he advise whether the Government will still hold the teachers to ransom and demand that they can have full school vacations except "where the operations of the employer require otherwise"? Does the Minister regard this attitude as industrial blackmail?

Mr BRADDY: The employment of guidance officers and associated senior officers in that area is a matter of negotiation between them, their union and the Department of Education. Those negotiations have proceeded very well, and I believe that they will shortly reach a conclusion which will be beneficial to the Education Department, to the students who are educated in Queensland Government schools and to the teachers themselves. Certainly, it is true that some guidance officers will be needed to counsel students in relation to QTAC applications, and that certain negotiations are taking place that will enable them to do their jobs at an important time for students when the schools have finished for the year, but when the Year 12 graduates and others need guidance and counselling in relation to their future careers or in relation to subject choices. Some very sensible provisions are being put in place to enable some guidance officers to be available for short periods—as they should be in any good productive system—in order to assist students. There are, as I say, very sensible negotiations occurring, and those negotiations will reach a sensible and rational conclusion, to the benefit of the teachers and the students.

Effect of GST on Home Purchases

Dr WATSON: In directing a question to the rather hoarse Deputy Premier, Minister for Housing and Local Government, I refer to the independent calculation of the effect of the Federal coalition's tax package on home-buyers, which was released by the Queensland President of the Real Estate Institute and which stated—

> "On a home priced around $120,000 the additional cost to purchase is $738 plus an extra conveyancing charge of $240. All first home buyers with a combined income of up to $40,000 will be eligible for a $2,000 payment to assist with their first home purchase."

He went on to say that first home buyers would be considerably better off under the proposed package. I ask the Minister: how does this compare to the current situation in which the Minister is administering a scheme which has forced many first home buyers to

continue financing their homes at 14.9 per cent while the current interest rates are 12 per cent and falling, thus costing each buyer thousands of dollars each year?

Mr BURNS: I thank the honourable member for the question. The first thing that honourable members must remember about Dr Hewson's and the Liberal Party's GST is that it will add considerably to most people's costs. It is an unfair tax. People such as Kerry Packer and John Hewson will pay the same tax on what they eat and what they consume as a battler on the pension or on the dole. The coalition package will cut money for Government home building in this State. In the first year, it will mean a 26 per cent reduction in the program; 750 housing commencements lost; 2 560 jobs in construction lost; an additional $31m lost in wages and salaries in ancillary industries; and $150m lost in output to the economy. The GST will apply to all materials for new houses, as well as redevelopment and improvement of current homes. The honourable member has asked about first home owners. What about all the people who upgrade their homes? A large percentage of home-buyers are people who are trading up. My scheme is not similar to the scheme of the honourable member's colleague in New South Wales, which is going broke. Honourable members should note the article on the front page of today's *Sydney Morning Herald* referring to the Liberal's scheme.

Since 1 July this year, we have been forced to repossess only five houses, and that is in a major scheme. We set up the scheme to help people in need. If people want to get out of the scheme, they can get out without any penalty. No lender in this State, apart from the State Labor Government, will allow people to pull out without incurring a penalty. We allow them to get out of the scheme. The trouble is that the Liberal Party does not want people at the battling end of the market to have a chance of buying a house. It is only interested in the top end of the market. The GST imposes the same tax on the poor as it does on the rich. It is a tax to let Hewson, who drives a Ferrari, save $48,000 in tax while the battler on the pension will pay more.

Public Hospital System

Dr WATSON: I refer the Minister for Health to the cost overruns and pressures on Queensland public hospitals as demonstrated by the as yet unannounced $2m overrun at Logan and the announced cost problems at the Royal Brisbane and the Mater public hospitals. Given that the Federal coalition's health reform package will benefit Queensland by reducing the pressure on public hospitals and encouraging the use of private hospital beds, I ask: why is the Minister confining low income and disadvantaged Queenslanders to ever-increasing waiting lists by not publicly endorsing the coalition's health reform package?

Mr McELLIGOTT: The premise behind the honourable member's question is obviously wrong. Quite contrary to what he has suggested, it is my view that the Federal Opposition's package will place substantial additional pressures on the State's public hospital system. As I indicated during the debate last evening, part of that package recommends a reduction across-the-board of 5 per cent in Commonwealth funding to the States. On my estimates, a Federal Liberal/National Party Government will reduce health funding to Queensland by some $50m per annum. In general terms in respect of the Federal Opposition's package, it seems to me that it is intent on two things: first of all, to cut funds available to the health system, which I have just talked about; and, secondly, to protect the incomes of doctors. Quite frankly, all that the package will achieve is that it will place doctors, particularly specialists, in a situation in which they can write their own cheques. The Federal Opposition intends to reduce the Medicare rebate but at the same time allow gap insurance which, as I said, is a licence for doctors to print money. It will certainly add substantially to the overall and spiralling costs of health care. The Deputy

Prime Minister and Minister for Health, Brian Howe, got it exactly right when he said that the package will add $2 billion to the national debt.

Mr SPEAKER: Order! The time allotted for questions has expired.

TOWNSVILLE BREAKWATER ENTERTAINMENT CENTRE BILL

Second Reading

Debate resumed from 27 November (see p. 3326).

Hon. W. A. M. GUNN (Somerset) (11.13 a.m.): Although I have no desire to oppose the Bill, I will make a few observations about the building of the convention centre. I do not believe that the people of Queensland realise the value of convention centres and the multiplier effect that they have in bringing visitors to a country. Several years ago, I attended the works convention in Toronto in Canada. On that occasion, I had the opportunity, along with the Governor of Ontario and the Mayor of Toronto, to perform the official opening of that convention, which was attended by about 6 000 people. It was a great success. It was an excellent convention centre attached to a hotel. When I spoke to those people, they wondered why in a State such as Queensland we did not have convention centres to hold conventions in winter when places such as Toronto are frozen over. In Canada, the United States and many other countries, conventions are big time. However, we have missed out. Since I have been in Parliament, I have realised that in Australia it is terribly hard to obtain venture capital.

I compliment the Townsville City Council and the Thuringowa City Council on the great job they are doing in respect of this convention facility. The ratepayers should not quibble about the proposal to develop this convention centre. As well, I support the input from the State Government. Recently, because Qantas has cancelled some flights to Queensland, the tourist industry has suffered a set-back. I travel extensively in the north whenever I get the opportunity. I am a great lover of north Queensland, as are many other people. I often get an opportunity to visit Cairns and inspect many projects that I was instrumental in getting started. I have noted that the Japanese and the Americans are pouring into Cairns. Many overseas visitors are sick of concrete jungles. I personally think Brisbane is a marvellous place, but the tourists want to see something different. They have a great opportunity in Cairns and Townsville to see something different. They can visit the tablelands, and the Great Barrier Reef, which is a unique, worldwide attraction. People visit those attractions because there is a different atmosphere. We cannot stop people from going where they want to go. The flights into that area have been increased. However, I hope that tourist flights will also operate into Brisbane. There is no reason why Qantas or some other airline cannot operate flights to Brisbane and bring tourists to this area and to the Gold Coast.

I return now to the Breakwater convention centre. When the previous Government considered establishing a casino in Townsville, I went up and had a look at the area. It was a dirty, little place; there is no doubt about that. The mudflats were not very attractive at all. I rather like Townsville. On that occasion we had an opportunity to smarten up one part of Townsville. I think that, at that particular time, Max Hooper, the local member, was involved in this proposal. When I went up there, I marvelled at the fact that quite a lot of land could be reclaimed and possibly something of some consequence could be built there for the City of Townsville. Many people may argue that the casino that was built there is too small and that there is not a lot of money in it for the Government. However, I do not think anybody has taken into consideration the multiplier effect of that casino. I think in its first year of operation the Government's take was about $5m. It certainly was not much. I

generally stay at the Sheraton. I have to admit that I do have a little punt now and again. I like to go into the casino. There is nothing wrong with that.

Mr Schwarten: A little bet?

Mr GUNN: My friend from Rockhampton North has been with me on some occasions. Although he has not been a winner, his wife always seems to come out on top. Before the night is out, he is borrowing money from her. That was one of the happy times of my life. I thoroughly enjoyed that trip. The casino is a lot of good fun. When people come from other countries, that is what it is all about—having good fun. However, there was what I called a bald patch on which this convention centre is to be built. This centre is absolutely necessary.

There is one thing that I would like to say to the Minister: I do not think that centre will be big enough. When world bodies travel, there are usually about 2 000, 3 000 or 4 000 people who have to be catered for. If a convention centre is to be built, it should accommodate at least 4 000 people. One has to have the experience that I have had in this particular field to see how people travel. Honourable members should think about what such a centre will bring into this country. I do not know how much money the convention centre in Toronto brought in, but it must have been millions and millions of dollars. People come and they spend money. They always bring their wives with them. The convention which I attended lasted about six or seven days. Although I attended most of the convention, my wife did not; she went off to have a look at the place because she had probably only one chance in a life-time to do that.

I suppose it is correct to say that the longest journeys start with the first step. The building of this centre is a step in the right direction. I will certainly not be opposing it. Actually, as far as Townsville is concerned, I commend it. I still say that Townsville is a lovely city that has a lot going for it. To the credit of a lot of people, a lot has been done in that area. Thuringowa has developed into another lovely city. That is nice to see. Actually, I appreciated the courtesy that was extended to me on the many occasions on which I visited the area in my capacity as Minister to open many projects. I opened many roads up there, as well as the Thuringowa water supply. I thoroughly enjoyed my visits. The people are very courteous. That is why I think those particular areas are tailor-made for visitors, and that has been proven in the past.

This convention centre will be great. It is a step in the right direction. It will cover an area that has been bare for some time. When the casino project was started, the previous Government had terrible trouble in finding partners for the casino. There was not enough money in it for them. I think Sheraton has the casino now. To its credit, it is a good hotel in which to stay. One could not wish for better. I will not say that, with the convention centre there, the hotel will be big enough. I hope that it will be too small and that extensions might have to be made. However, generally speaking, this project is a step in the right direction. I wish that other cities would look at similar projects. With local government and State Government coming together and with Breakwater supplying the land, one cannot envisage a better situation. It is something that one could never have knocked back. I have no problem with it whatsoever. I support the Bill.

Mr DAVIES (Townsville) (11.21 a.m.): Firstly, I would like to thank the Deputy Premier for introducing this Bill and for overseeing its passage through the House. The main reason I would like to thank him is that I will finally be able to get rid of these files out of my current files into the old files. That is what the Deputy Premier will do for me. I have been carrying these files for about two years now—ever since Labor came to Government. Quite frankly, I agree with the comments of the member for Somerset and previous Deputy Premier. There is not too much that I can take umbrage at in his

comments. They were very supportive. I am pleased that the Opposition is supporting this Bill.

From my discussions with the Deputy Premier, I am aware that the Townsville Breakwater Entertainment Centre Bill is a rather unique Bill because it even has appended to it the contract which, line by line, contains all the costs of what is going to happen. It also sets up the project control groups and so forth. From Townsville's point of view, it is a special Bill which is associated with a special project. Work on this project starts next week, so bulldozers will be out starting work on it straight away. It has been pushed through in a very short period. As the honourable member for Somerset said a while ago, it has been an exercise in cooperation between two levels of government and two councils—the Townsville City Council and the Thuringowa City Council, both of which have to be commended. The disappointment for me is that the Federal Government is not involved in this project despite the fact that it was asked by me to participate. But it said, "No." If there is to be made to regional Queensland a commitment such as this Government has made, the Federal Government had better start looking a bit closer at Townsville. The Federal Government also has a responsibility to the people who live in that area. However, it has failed dismally with this project, because it would not agree to provide a matching grant, as did the two local city councils and the State Government.

As to Mr Gunn's comment—the convention centre probably could have been a little bigger. I would like it to be a little bigger, although I am quite happy with what we are going to get. If the Federal Government had agreed to provide funding, the convention centre probably could have been bigger. With a little more cooperation from the Federal Government, we might have been able to achieve that. I am disappointed that the Federal Government and its local member did not get out and really push that project, but I suppose that they have to live with that. The North Queensland Games are held every couple of years. Next year, those Games, which will be held in Townsville, will use the indoor sporting venues. I am disappointed also that the Federal Government does not provide funding to the North Queensland Games, which will be a user of that particular project. The Federal Government is really serious about regional Queensland! Today, I call on the Federal Government to match the State Government's $30,000 contribution to the North Queensland Games. If it wants to go further, it can even match Suncorp's contribution. I believe that the Federal Government really needs to get cracking in its commitment to north Queensland.

Mr Gunn: They are taking the area for granted. That is their problem.

Mr DAVIES: The Federal Government is taking the area for granted, and it may pay the consequences for that. I wish to give members a bit of the history of the project. Mr Gunn probably will not like what I am about to say. When the Labor Party came to Government, the project was basically a failed project. We had what is referred to now as "Stonehenge", simply because all the pylons have been constructed beside the Murray basketball stadium. At that time, it was referred to as the Sundome project. I will not be too critical of the previous Government, because the private developers had not done their homework properly or got their funding right. Before the Labor Party came to Government, the private developers had asked the previous State Government for some assistance and had been given what is now referred to as a $3m Claytons guarantee. That was the situation as at January 1990, when those people first came to see me. I say "Claytons guarantee" because it is the guarantee that one has when one does not need a guarantee. In other words, if the developers had fulfilled all the conditions of that Claytons guarantee, they would not have needed a guarantee at all because they would have satisfied a financier.

I decided that I could not back a failed private-enterprise project—and that is what it was—because that would have meant rescuing it with Government money. I certainly

could not have done that without undertaking some proper feasibility studies. People associated with that project, and some people associated with creditors of that project, came to see me. From that failed project has come that real project. If any good has come from that old Sundome project, it was the germ of an idea that has resulted in this project. All of that occurred in about January 1990. In February 1990, I wrote to the Treasurer and to the Minister for Sport, the Honourable Bob Gibbs, stating that the Townsville community was very concerned about that failed project. Subsequently—I believe that it was very soon after that—members of the Townsville community set about getting together a petition to show the State Government that they would like it to get involved. As a result, the following month Cabinet approved a $5m matching grant for that particular project. I say "matching grant" because it meant that the Townsville City Council would have to provide the other $5m. The figure of $5m was arrived at because that was the estimated cost of that particular project.

Subsequently, Townsville City Council started to do some detailed costings on the whole project. A few things became obvious: firstly, that the centre could not be built for $10m. Obviously, that was a major problem. It was also not the most viable site. Obviously, viability had a lot to do with it. As well, there were a lot of difficulties associated with the work that had been carried out there and for which many people were owed money. For all of those reasons, the Townsville City Council then did a more detailed analysis on the whole project. We came to the conclusion that we had to throw some other balls in the air. We started looking at sites to work out which was the best one. In those early days, it became pretty obvious to me that the best site would be one near the casino, simply because there would be a captured market in that area and that would increase the flow of business. I support Mr Gunn's comments about that particular precinct of Townsville. I believe that we must keep working on it, because it could become a showpiece for the area. Other sites were considered, including a site beside the Civic Theatre. Another site at what is now known as the Lakes Stage 2 was considered, together with the Murray site. One other site was probably dismissed fairly quickly.

I wish to thank some people who really need to be thanked. Firstly, I thank Mark Bragg, who is associated with the Townsville Suns. One could never meet a more positive person than Mark. For about four or five years, he has been trying to get the Townsville Suns into the National Basketball League. He never thinks negatively. He stuck with that project all the way through. Even when the Suns get into the National Basketball League, they will be tenants of only 12 and a half per cent of the complex. Nevertheless, I publicly say "Thank you" to Mark Bragg for the way in which he has carried the project through on behalf of the basketball community. Russell Laird, a partner of the accounting firm Butler Rains Menzies in Townsville, should be commended, also. He has stuck with the project. In many ways, I said to myself, "Why the hell is this guy sticking with this project? There is really nothing in it for him." In terms of the effort that the firm has put in to get the project going, he has committed his firm to the tune of well over $100,000. Russell will probably end up as one of the syndicate members or one of the share-holders in the franchise from the National Basketball League. Quite frankly, he deserves it. He spent the money when the project was never certain. If his firm happens to get something back out of the project, I say "Good luck" to him.

The other group in Townsville who should be thanked is the media. The members of the media have been extremely supportive of the project. For once, instead of being negative, the Townsville media has been very, very positive and said, "We really need this project." The people in the media really got behind it. Plenty of times, they could have printed negative stories, but they chose not to. The material was always basically positive. I thank the Mayor of Townsville and the Mayor of Thuringowa. The Mayor of Townsville, Tony Mooney, could see what the project could do for Townsville. He stuck

with it and, in effect, committed $5m of Townsville ratepayers' funds. In support of the previous comments, the city will receive a benefit from that. It already receives a significant benefit in terms of rates from the existing casino. I do not know how much money the casino pays in rates each year, but that money is coming in every year and has been coming in since the casino was built. The new project will produce a lot of money for the city. It is the way in which councils must think if they want to promote their own areas. I thank the other members from Townsville, Ken McElligott and Geoff Smith, for their support, and I thank the Premier, the Deputy Premier and the Treasurer because, quite frankly, without their support we would not be discussing the project here today. I know that the Premier will be in Townsville in a couple of weeks to survey the progress of the project. I thank also the 20 000 or more people who signed the petition in late February/early March 1990.

I will make some other comments about the economic benefits for Townsville. Mr Gunn said that there will be ongoing revenue, etc. These figures are about six months out of date, but, for the benefit of honourable members, I point out that the State Government has received $13m in revenue from the Sheraton Breakwater Casino complex since its completion in July 1986, including casino taxes of $7.626m, casino licence fees of $2m and payroll taxes of $3.3m. So there are benefits in it for the State, and that is without all of the other benefits that will come from the convention market itself. In terms of large venues—when the Townsville Breakwater Entertainment Centre is built, it will rank No. 2 in Queensland, because it will be able to take up to 6 200 people in a concert mode. At the moment, the Brisbane Entertainment Centre is No. 1 and Festival Hall is No. 2. That puts the Townsville Breakwater Entertainment Centre at around about No. 2 or, if something is built in the meantime that I do not know about, possibly No. 3.

As I mentioned before, I thank particularly the Premier, the Deputy Premier and the Treasurer for their support. The project would not be happening without it. The Deputy Premier needs to be congratulated on the speed at which the legislation was compiled to allow the project to start next week.

Mr Beattie: It should have been called the "Ken Davies" Bill.

Mr DAVIES: I take the interjection for the record.

Mr COOMBER (Currumbin) (11.35 a.m.): The Townsville Breakwater Entertainment Centre Bill is one of the most sensational pieces of legislation presented to the Parliament of Queensland. The legislation has its genesis in the abandoned scheme of entering a north Queensland team in the National Basketball League. The local basketball lobby floated a scheme to find a venue for the Townsville Suns. Through poor judgment, the scheme was a financial disaster, and the matter is still unresolved with debts of $600,000-plus. The Liberal Party believes that Townsville, as Queensland's second-largest city, needs a facility to cater for conventions, concerts and sporting events. The Sheraton Breakwater Casino, with Sheraton Hotels as the operator, is proving to be a major attraction for north Queensland.

The proposal to build a convention and sports centre in Townsville in the manner suggested by the legislation raises many problems for the Liberal Party. The first issue is the location of the building. The current proposal will have a chaotic effect on traffic. There is only one road to and from the proposed centre and the casino, that access being via the city heart. The Liberal Party supports the concept of the convention centre, the benefits to the local economy, the employment that the facility will generate and the benefit of having the Sheraton Breakwater Casino as part of the joint venture. The casino with the Sheraton Hotel will market the facility worldwide. The Liberal Party also wants to see the local sporting public involved in national sporting codes. Basketball has been considered, Rugby League has been considered and, hopefully in the not-too-distant future, north

Queensland teams will compete in national leagues. The exposure and advertising benefits all Queenslanders.

The legislation brings to the notice of all Queenslanders several issues. The minor issue is pork-barrelling. The holier than thou Goss Government castigated the previous Government for pork-barrelling in National Party electorates. In Parliament, the Minister for Administrative Services, Mr McLean, rudely held up a list of projects from a capital works program that distinguished electorates where projects were being funded. The Liberal Party charges this Government with doing exactly the same in Labor electorates. The Townsville Breakwater Entertainment Centre is only one case of massive pork-barrelling that occurred in the 1991 Budget. Funding for the project was not declared in the Budget, so services to another area—and I would bet a Liberal Party or a National Party area—will be cut. The three Labor electorates of Townsville, Townsville East and Thuringowa are receiving preferential funding unheard of in this State.

The normal practice for a local authority is to apply for subsidies from the Government and, when constructing a facility such as the convention centre, a subsidy of 20 per cent would apply. For the stated contract price of $13,622,000, a subsidy of $2,724,000 would apply. This Government is giving $7m by way of a grant to Townsville, which is a windfall of $4.3m. This disguised pork-barrelling will not wash with the Liberal Party. To make matters worse, the Bill has to incorporate a clause to allow both Townsville and Thuringowa councils to enter a joint venture arrangement. Once again, this Government has stalled with legislation amending the Local Government Act which gives local authorities the right to enter joint ventures. The Minister has drafted the legislation, shelved it and has now given preference to Townsville and Thuringowa because it benefits his cronies.

The zoning of the site makes me wonder why I bother being a member of Parliament. I remind members of the common catchcries from the Government before 1989—"There will not be any ministerial rezonings", "The people will have the right to object" and "Local government will have the final say." What Wayne Goss did not say was that all this is true, but only if it suits the Government. The Minister has had the gall to include on page 7, line 9 of the Bill, the following—

> "Despite the Local Government (Planning and Environment) Act 1990 or the planning scheme of the City of Townsville, the site is in the Special Facilities . . . Zone under that planning scheme."

The open, accountable government that was promised is taking a bath, and the worst is yet to come.

This legislation precludes in the development agreement any further car-parking contribution for additional development on the site. The agreement states that the Townsville City Council will abrogate its rights to any town-planning requirements other than those referred to in the development agreement. Town-planning control for this project by the Townsville City Council has been hijacked, without so much as a whimper by the council. In addition, this piece of legislation enshrines in stone one of the most unusual clauses to form part of a Bill. The council of the City of Thuringowa may exercise a power under this clause for an object to be attained outside its area. I ask: what is an object, what is the cost, what are the limits and what power does the Thuringowa City Council have? If the city is to get a contribution either in the form of artwork, a swimming pool or whatever, why is this Government not being upfront about it and telling everyone what is happening? Secrecy in local government has long been a concern from a public point of view, but here in Queensland this "open" Government is furthering the secrecy of local government.

If members of the general public are concerned by the process so far, the worst is yet to come. The tendering process promoted by this piece of legislation smacks of corruption, and the process is being endorsed by this Government to support Townsville City Council. To be clear, this legislation sets aside section 19 (4) of the Local Government Act so that tenders do not have to be called for the construction of the entertainment centre. This is a scandal. It will not suffice for this Government to claim that it is necessary for the project to be fast-tracked. Principles of accountability, openness and cronyism have all been glossed over on the pretence of necessity. This is a $13,622,000 project and the Government refuses to apply the provisions of the Local Government Act. It has the audacity to state that the processes used by the councils in determining the most suitable construction have been examined and found to be adequate in ensuring that no party has been dealt with unfairly. I seek leave to table the Government's *Standard Code of Tendering 1987* .

Leave granted.

Mr COOMBER: On page 3, under paragraph 4 titled "Tenders to be invited", that document states—

> "An Authority shall not enter into a Contract unless tenders have been invited in accordance with this Code."

The project will cost $13.6m and the best the Government can say is that the processes are adequate. If any of the members of the Government believed in the Fitzgerald reform process, they would not allow this betrayal of the people of Queensland to proceed. If any of the members of the Government were in Opposition, they would cry "rort" and "corruption" as they did only two years ago. That brings the Liberal Party to the major issue surrounding the Townsville Breakwater Entertainment Centre, that is, the agreement of this Government to allow construction of the centre by Multiplex Constructions Pty Ltd. The Government will try to distance itself from the decision to award the construction project to Multiplex without engaging in an open tendering process by claiming that the local authority selected the contractor. In politics, whether one is a Labor member of Parliament or a Labor alderman, one is tarred with the same brush.

I turn now to Multiplex Constructions Pty Ltd. No doubt its engineering and construction practices are correct. I am more concerned about the connection between Multiplex and Government, particularly Labor Governments. One does not have to look very far to find the name "Multiplex" and its owner John Roberts mentioned in hearings regarding WA Inc. For the benefit of Government members, I point out that WA Inc is an ongoing inquiry into the activities of certain businessmen and the Labor Western Australian Government, Brian Burke, John Dowding and Bob Hawke. Every other inquiry in the nation, including the WA royal commission, the South Australian royal commission, the Tasmanian bribery royal commission, the Victorian Tricontinental royal commission, the New South Wales ICAC inquiries, the New South Wales Giles royal commission into the building industry and the Northern Territory Mulholland police inquiry, conducted open inquiries and all named names, including Multiplex. This applies also to other CJC inquiries here in Queensland, but I note that there is an inconsistency as of today. Court operations such as those in the illustration given today saw President Nixon hounded from office. The people of Queensland should become enraged and demand to know the truth. It has taken two years to create a cover-up and two years to correct an apparently wrong system, yet all we have is a recommendation that further work should be done. No doubt after what has occurred in this Parliament today the people of Queensland have a right to be angry. The report presented today is inconsistent with other CJC reports.

Mr DEPUTY SPEAKER (Mr Campbell): Order! The member for Currumbin is not speaking to the Bill. The CJC report has nothing to do with the Townsville Breakwater Entertainment Centre Bill.

Mr COOMBER: I respect your ruling, Mr Deputy Speaker. Finally, the question must be asked: who is responsible for the political and business mess in Western Australia—the entrepreneurs or Labor politicians? Both are to blame. It is a rare Government that does not attempt to increase dominion over civil society and a rare business organisation that is not attracted by apparent guarantees of profit. Over a period of six years, the State of Western Australia has been trampled on by the most powerful entrepreneurs in collusion with Government.

Mr DEPUTY SPEAKER: Order! Really, the WA Inc inquiry really has nothing to do with the Breakwater legislation.

Mr COOMBER: I accept what you are saying, Mr Deputy Speaker, but it is fair to say that with Multiplex Constructions as the successful tenderer—which this Bill will allow—I want to explore whether or not it is a fit company to accept a contract through a local authority and be endorsed by this Government, so I believe these remarks are relevant.

Mr DEPUTY SPEAKER: Order! The honourable member can speak about the company.

Mr COOMBER: In the process, freedom of speech and parliamentary and democratic processes have been damaged. Mr Roberts has been a star performer in WA Inc. He is a next-door neighbour of Dallas Dempster, who also has been a star performer at WA Inc. Mr Roberts built the Burswood Casino for Mr Dempster and just about every high-rise building of note in Perth. The Labor Party Premier, Brian Burke, funded election campaigns by raising money through the John Curtin Foundation. I seek leave to table a document from the *Economic Witness*, which demonstrates the entanglement of business and Government in Western Australia and, I would suggest, now in Queensland.

Leave granted.

Mr COOMBER: The private sector donations made directly through Rothwells to the John Curtin Foundation included donations from Dempster, Roberts, Bond, Connell and others. They were political donations for favours from Government. It is clear that money from the Brian Burke secret leader's account was used to pay for election campaigns in Western Australia and the eastern States.

Mr DEPUTY SPEAKER: Order! Really, the John Curtin Foundation has nothing to do with this Bill.

Mr COOMBER: A major contract worth $13.6m will be let today by legislation now before this House. A man who in the past has been involved in WA Inc and who has been under investigation will benefit from that. I believe that I have every right as a member of this Parliament in Queensland—and I do believe that we are in Queensland and not in Russia—to raise these matters and be heard on them.

A list of donations given to Brian Burke from businessmen as reported on ABC TV on 1 May 1991 included the following: Alan Bond, $300,000; Dallas Dempster $400,000; John Roberts, who is Multiplex, $300,000, and the list goes on. The commission of inquiry clearly showed that funds from the Brian Burke account financed election campaigns in South Australia and Tasmania. When Queensland State Secretary of the Labor Party, Terry Hampson, was asked if the Labor Party had received funds from WA Inc, he said among other things that until the laws changed the rights of donors who chose to keep their donations private, this had to be respected. Terry Hampson stated that the 1989 campaign cost $4m. Where did it come from, and what strings were attached to the funds?

It is the Labor Party that bears the onus of proof to remove the smell of this perceived pay-back to an old contributor.

Mrs EDMOND: We have now strayed all the way to WA on this Bill. Could we not come back a little bit closer to the mark?

Mr DEPUTY SPEAKER: Order! I am concerned that the member for Currumbin is making allegations that are basically unfounded.

Mr COOMBER: I do not believe they are unfounded. I am proceeding to come down to the real problem concerning the appointment of Multiplex.

Mr DEPUTY SPEAKER: Order! The honourable member can make direct comments about the company that has made political donations in Western Australia. I can appreciate that that is part of the debate, but to then come back and refer to funding in the last political campaign has nothing to do with this Bill. There is no connection.

Mr COOMBER: I believe it is relevant because it would appear that there is now a tie between the conduct of businesses in Western Australia that is now being investigated in relation to WA Inc and those companies that are now doing business in Queensland under this Labor Government, just as they were under Labor Governments in Western Australia, and that is the whole purpose of this Bill.

It is clear that in Opposition, the present Queensland Labor Government was using research staff from Western Australia who were funded from Western Australia. In 1989, the Queensland ALP used a Western Australian polling firm Insight West. This firm was established by the ALP in 1986 at the height of the WA Inc affair and operated from a building owned by Mr D'Arcy Farrell, who was Mr Burke's public relations manager, so it is the Labor Party that has to prove that it did not receive corrupt funds from Western Australia. The decision to appoint Multiplex as the contractor at Townsville is too much of a coincidence. This Goss Government has not tabled any evidence as to why tenders will not be called for the entertainment centre.

Mr DAVIES: I rise to a point of order. As I understand it, the recommendations have not come out of the commission of inquiry yet. I think that the member is jumping the gun, but, quite apart from that, his Liberal colleagues on the Townsville City Council support this Bill.

Mr DEPUTY SPEAKER: Order! I will allow the member for Currumbin to continue.

Mr COOMBER: Thank you, Mr Deputy Speaker. As I was saying, this Goss Government has not tabled any evidence to prove why tenders will not be called for the entertainment centre. The sum of $13,622,000 in public money, and I emphasise the words "public money", is perhaps not a bad deal for past favours. Under examination at the commission, Mr Laurie Connell stated—

> "I was certainly under the impression that, and the point was certainly made to me, the business activity was good under the Burke Government and that for it to continue, that it was necessary for that Government to be able to have sufficient funds to enable it to be re-elected."

When asked who the main players were, Mr Connell answered—

> "Certainly Bond, Holmes a Court, Roberts, Dempster—quite a range".

The inquiry has made it quite clear that an unhealthy nexus existed between business and Government. Members of the Liberal Party do not want the same to happen here in Queensland. We cannot support an Act of Parliament that pretends that the Government is at arm's length from the contractor.

Mr DAVIES: I rise to a point of order. Just by way of clarification for the benefit of the honourable member, I point out that the reason it is being done this way is to allow construction to commence.

Mr DEPUTY SPEAKER: Order! The member for Townsville cannot make a point in clarification unless he gets the leave of the honourable member who is speaking to make that point. Furthermore, the Minister has a right of reply.

Mr COOMBER: The pretence that it is the decision of the Townsville City Council and Thuringowa City Council is rubbish. The Townsville City Council is Labor dominated and will rubber stamp the agreement to employ Multiplex. This country has seen a number of inquiries, most championed by this Goss Government. All the inquiries encouraged open and accountable government. How can the people of Townsville ever believe that the entertainment centre was built for the lowest possible cost? The marketplace was never tested. Surely the experience of the Government in building 111 George Street is enough evidence for it to reconsider and conduct tendering for the Townsville project. For the record, the estimate for 111 George Street was close to $70m, but after tenders closed a tender for some $59m was accepted. In several instances, the Western Australian Government handed outrageous profits, fees, or advantages to a chosen group, several of whom responded with political donations. In this case in Townsville, no tenders will be called, a $13,662,000 contract will be let subject to variations containing fixed off-site and on-site overheads, and a profit of $1,185,398 will be made.

Mr D'ARCY (Woodridge) (11.55 a.m.): I welcome the Bill. The contribution by the member for Currumbin and his attack on the Government left a tremendous amount to be desired. As I understand it, the tender commitments were invited by the Townsville City Council and several firms were involved in that tender process. Because of the commitment and the desire to get on with the legislation, all parties in Townsville agreed that this was the most successful way of operating it, and this was also the most successful tender. It seems to me to be strange that a bow can be drawn by the honourable member for Currumbin with this particular legislation when today there are tender processes that undergo probably the greatest scrutiny. If the honourable member for Currumbin thinks that there is something wrong, obviously he has the channels by which to do something about it. When the members of his party were in Government, some of the tender operations in this State left a tremendous amount to be desired and society today is now facing the consequences.

Mr Nunn: Like the Thuringowa Hospital?

Mr D'ARCY: That could be a speech in itself. That is a different subject, and I am surprised that it was raised in this Bill. Townsville has a very good and competent administration. It deserves to have this project undertaken to provide jobs in north Queensland, and to provide a catalyst for the tourist potential of a site which already holds the Breakwater Casino and which has already established itself as a tourist destination. The honourable member for Townsville understands the work that has been done by the Townsville City Council, particularly by its mayor Tony Mooney, in getting this project off the ground in north Queensland.

Although I praise the Government for its commitment to this particular project, I would like to issue an economic warning that Governments cannot continue to spend millions of dollars of taxpayers' money on projects that cannot generate reasonable financial returns. These are the most difficult of economic times. In my opinion, they have not yet bottomed out. I would like the unemployment situation to improve, but it is expected that it will deteriorate further. These circumstances affect electorates such as mine. Governments should always spend taxpayers' money as if it were its own personal funds. It should also look to long-term returns. Projects of this nature do create financial

benefits and long-term returns, but in these times there are quite a few projects to which the Government has to commit itself. Many of these projects are in south-east Queensland, so it is with great enthusiasm that I welcome this Bill for a project of this nature in the Townsville area. I endorse the Bill.

Hon. T. J. BURNS (Lytton—Deputy Premier, Minister for Housing and Local Government) (11.58 a.m.), in reply: I thank honourable members for their contributions to the debate. Mr Gunn is supportive of Bills that promote this State, and this Bill will bring major tourist benefits to the north. The honourable member Townsville, Mr Davies, has spent a considerable amount of time and effort going backwards and forwards between Townsville and Brisbane trying to make certain that this Bill is passed today so that Townsville can get on with the job. Mr Gunn has said—and he is quite right—that these sorts of developments are part and parcel of a good tourist promotion. Conventions and business centres are of major importance to Queensland. Such a centre is going to be built on the South Bank and more are needed throughout the State. Having said that, I thank Mr Gunn for his support. When the National Party was in power, Mr Burreket looked at this proposal, but it fell through. This brings me to the nub of the allegations by the member for Currumbin. I think it is strange that the member for Currumbin, who was in the hands of the developers when he was a councillor on the Gold Coast, and accepted big donations with a graft——

Mr COOMBER: I rise to a point of order. I find those comments offensive and I ask that they be withdrawn. They are not true, and I ask that they be withdrawn.

Mr DEPUTY SPEAKER (Mr Campbell): Order! I ask the Minister to withdraw those remarks.

Mr BURNS: I will withdraw them, but anybody who reads the CJC report about local government authorities on the Gold Coast will see that Mr Coomber figured very prominently in the documentation in relation to his——

Mr COOMBER: I rise to a point of order. I take offence to those remarks because, once again, they are not true. I ask that those remarks be withdrawn.

Mr DEPUTY SPEAKER: Order! I ask the Minister to withdraw the insinuations.

Mr BURNS: I withdraw them. It was said that the honourable member was untruthful, and I think he still is.

Mr COOMBER: I rise to a point of order.

Mr DEPUTY SPEAKER: Order! I ask the Deputy Premier to withdraw those remarks.

Mr BURNS: I withdraw. I will continue speaking to the Bill. Given Mr Coomber's background, it is surprising that the Liberal Party should put forward such a person to make these allegations. Having said that, let me say that the Government has had no involvement in this process at all. As Mr Gunn would know from his previous days in Government, the Thuringowa City Council and the Townsville City Council want a convention and exhibition centre. There is a great drive in Townsville, led by Mr Davies, Mr Smith, Mr McElligott, all the people involved in the city councils and a large number of businesspeople wishing to promote their city. They want these developments in their city.

The Thuringowa and Townsville councils have worked together. They decided they would put $7m into a project and they asked us whether we would put $7m into it. Following the representations from Mr Davies and the two Ministers, we said that we would. At that time, the councils had an agreement with the casino people that land with a value of about $6m would be their contribution. We asked how they would make it pay and we were told that the operators of the casino would pick up the running costs and that there would be no losses to be paid by ratepayers. We then said that that was all right but it was to cost

no more than $13.6m. The people wanted to know, if the cost blew out to $17m or $18m, whether the councils could spend more money. We told them that it was limited to $13.6m and that they could spend no more. We told the councils that it had to complete the project within the amount allocated.

I have had no involvement in it. I said to Mr Davies and the Townsville and Thuringowa mayors, "Go and do it yourselves. When you have worked it out and you have a proposition, bring it back to me and I will facilitate it going through here." Councils, especially Thuringowa council, cannot spend that sort of money outside their areas. I do not know anything about the allegations about WA Inc. I am not concerned about this project because it is not a matter in which this Government has been involved. It is a matter for the two councils. I understand from Arthur Muhl, who has been going backwards and forwards to Townsville, that the agreements have been signed on the basis of the legislation that I am putting through today. It is a set price contract. They have talked to Thiess and other people up there and they settled on Multiplex. Multiplex is a builder and is registered to do the job. The agreement has been made between the three partners involved. I have said on behalf of the Queensland Government that not a dollar more than $7m is to go into the project. I have not met with the builder. I have not met recently with the two councils. After the start of the arrangements, I left everything to my officers who have been going backwards and forwards. My officers told me that Multiplex won the job after extreme care had been taken by both councils to ensure that the best offer was accepted. Multiplex won. Thiess was slightly higher. A detailed report on the selection process was submitted to the department and both councils were told that the process was satisfactory.

The reason the parties want me to act in a hurry is that they want to start next week. We are under a lot of pressure from Townsville. The newspaper up there keeps talking about everything happening in the south and nothing happening in the north. It is wrongly claimed that the Government does not help Townsville. We were asked to do something in a hurry. We checked the arrangements for them and said that we would facilitate the passage of the Bill so they could go ahead. They will run it. Our involvement from now on will be nil. It will be left up to the people up there. If there is any problem associated with the project, it will be a matter for the three groups involved. They are prepared to take the risk and we have decided to do it this way. There has been an attack on the zoning. The partners want a bulldozer on the site. They wanted me to have this legislation through last week, but I could not get it through. The three groups putting the money in had to negotiate, and those documents are all attached to the back of this document for everybody to see. It is an open process. It is true to say that tendering is the way to go. If the people who are putting the money up and running it want to do it this way, I see no reason why I should not act. As I have said to councils a dozen times, "Put a proposal to me and I am prepared to put it to the Parliament, but you have to carry your own can if it does not go too well."

I reject out of hand the remarks of the honourable member for Currumbin. He is well known for headline hunting in the things that he does in this place. What he is trying to do today, and what will happen if his two amendments are carried, will torpedo this process and torpedo the chance of Townsville having the convention and exhibition centre. He said there are problems with the site. He does not want it rezoned. He does not want the builder. He does not want anything. At the same time, he said that the Liberal Party supports such projects for north Queensland. His Liberal colleagues in north Queensland want this project. They have supported this proposal in the council and today this Parliament is acting as a facilitator. We are saying to the Townsville and Thuringowa councils that we will make the necessary arrangements for them to set up the company and invest their money and, in the case of Thuringowa council, make it possible for the

council to invest money outside its area so that it can bring this convention and exhibition centre to Townsville for the benefit of each and every one of the citizens of both council areas.

Motion agreed to.

Committee

Hon. T. J. Burns (Lytton—Deputy Premier, Minister for Housing and Local Government) in charge of the Bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—

Mr COOMBER (12.07 p.m.): I move the following amendment—

"At page 5, omit lines 1 to 7 and insert—

'Tenders required for s.4 agreements

8.(1) This Act does not affect the application to an agreement made under section 4 of any other Act that requires the giving of notice of intention to invite tenders or opportunity for the making of quotations.

(2) Without limiting subsection (1), section 19(4) of the Local Government Act 1936 applies to agreements made under section 4.

(3) This section applies to an agreement made by any of the Joint Venturers for the purposes of the joint venture—

(a) in terms set out in Part 1, 2 or 3 of the Schedule; or

(b) in terms approved by order in council for the purposes of this Act;

despite anything contained in the terms of the agreement, including the specification of a party with whom the agreement is to be entered into.' "

The reason I have moved this amendment on behalf of the Liberal Party is that in all cases of which I am aware, during more than nine years in local government, where major projects have been undertaken in local authorities throughout Queensland, they have always gone to tender. The Minister really has not convinced me that there is a need for this provision, just because the people concerned want to start next week. Is it a policy of the Labor Government in Queensland now that if things are urgent, the rights of any person in Queensland will be abrogated to achieve that purpose? That is quite dangerous, and it is something that this Parliament has found to be abhorrent on many occasions over the last two years.

The tender is for $13.6m. As I stated in my speech during the second-reading debate, in regard to 111 George Street, the estimate was $70m, yet when the job was put out to open tender to six tenderers, a base-line tender of $59m was settled on—a perceived saving of $11m. The building industry in Townsville is also depressed. With a

project of this size, there would be several contractors in north Queensland who would welcome the opportunity to tender for it. Most building companies are sacking staff, and this would be an opportunity for a contractor to maintain his work force, as the successful tenderer for 111 George Street was able to do. It is acknowledged in the industry that that contractor will lose over a million dollars just to keep his staff employed.

Companies in north Queensland are in the same situation as companies in Brisbane, and it is the ratepayers of Townsville who will benefit in the long run. I draw to the attention of members the fact that for every million dollars borrowed by a local authority, the interest and redemption on that sum for 20 years is about $200,000 per annum. That is picked up and converted into rates and fees and charges which city councils levy every year in their budgets. If a million dollars can be saved on this project by going to open tender, why are not the people of Townsville, the people who pay their rates, being allowed to receive the benefit that flows from a depressed building industry, and have that reflected in their rates every year, not just this year?

I find this process that is being bulldozed through today quite offensive. It might be okay for my Liberal colleagues on the Townsville City Council to agree—and I have a fax from one of them which says, "This is great". If I were a resident of Townsville, I would also be supporting a project such as this in north Queensland, but it is the process and the principles that are so important to this Government on many other issues that are just being dismissed today. The second amendment that the Liberal Party will be moving concerns rezonings. That matter will be addressed in a later amendment.

Mr DAVIES: This process has been adopted by both councils because of speed. This job needs to be commenced as quickly as possible to allow the Townsville Suns to get into the National Basketball League. Quite frankly, if it is not done this way, the team will be out of the competition until 1994. If there is a month's delay or a few months' delay in this process, the team will go back a full year. Mr Coomber obviously does not understand that, but his Liberal counterparts on the Townsville City Council do. As to his comments in respect of the local people missing out—Multiplex might be the successful tenderer. However, the company will employ many local people as subcontractors and will buy a lot of materials locally, so the Townsville community is not going to miss out. There might be a couple of builders in the north who are aggrieved because this project has not gone to full open tender, but that is the reason it has been done that way, and Townsville businesses will not miss out.

Mr GUNN: I acknowledge Mr Coomber's right to raise these matters. He has done that, and there is nothing wrong with that. But I believe in this case a deal of alacrity is required. I would be an arch hypocrite if I supported the honourable member's amendment, for the simple reason that there are many small areas in Queensland that would not have had their water supply if the Government at that time did not bend the rules. I was in the Treasury for four years. Roma would not have had its community centre. Governments must be flexible. No Government can afford to be strong on every issue. Governments must bend on certain issues, and there must be flexibility. This project must go ahead. Mr Burreket raised this matter, and I have lost count of the deputations I had with regard to this project. This is an opportunity for Townsville, a city in which these sorts of projects are needed. My understanding is that those councils are taking full responsibility, and the Government steps right out of it. They are good councils, and no doubt they have thought this out very fully.

Once again, I say that the honourable member is right to raise this matter. I acknowledge and take on board everything that he has said, but on this occasion I would be a hypocrite if I supported the amendment. As I said, Governments must be flexible. If they are not, many areas would not have projects such as community centres. The Gatton College of the University of Queensland would have closed down if that pipeline had not been installed and if the college had not received well above the subsidy to which it was entitled. What the previous National Party Government did in that instance is similar to what is being done now in Townsville. The project is ready to go, and the quicker it commences, the better. I certainly could not support the amendment.

Mr COOMBER: Just one brief, final comment. In this business of government, with the problems that Multiplex has encountered with WA Inc, and with the taint and the smell of a problem between Multiplex and the Western Australian Government, and even given the fact that the Townsville Suns see an urgency in getting that facility so that the team can enter the National Basketball League, I would ask honourable members to consider what is more relevant to the future of Queensland—having a team in the National Basketball League competition one year earlier or having the correct policies and procedures in place on which this Government can rely and which we see in place every day of the week?

Mr BURNS: The last point that the honourable member for Currumbin made is the most important one. Major projects do not always have to go to tender. Special provisions are contained in section 19 (4) (b) of the Local Government Act, which the honourable member should know. At the time when he was a member of the Gold Coast City Council, that provision was used to allow a particular developer to be appointed to carry out major developments without the council having to call tenders. That provision was not written into the Act by me; it was written in by a former Liberal/National Party Government. All of a sudden, the Liberal Party claims to be pure. It is not pure at all. It wants to delay the process. It is a red tape party. It is all about red tape. That provision is in the Act and it can be used. I remind members opposite that they were party to the Cathedral Square development in Brisbane and the P and O development at Newstead. I cannot accept the amendment. I do accept the suggestion made by the honourable member for Somerset. We are trying to be flexible and trying to assist the two councils involved. If we stuck to the law, as the honourable member for Currumbin said, we would do nothing. However, the member for Townsville, Mr Davies, has been representing those councils regularly. They are saying to us that Thuringowa City Council wants to invest in land that is not in its area. The Townsville City Council wants to invest $5m, but under the Act we cannot allow it to do that. That amount is well outside the percentage that we can allow.

Mr Gunn: The police building down here built by Civil and Civic, that's another job, and you people supported it.

Mr BURNS: There are many times when councils and Governments need to be flexible and to move with the times. These are times when the people of Townsville are demanding that the council do something to assist. I have not received one letter from Townsville against the proposal. The only people who are opposing it are members of the Liberal Party in this place. I cannot accept the amendment.

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

DIVISION

Resolved in the affirmative.

The TEMPORARY CHAIRMAN (Mr Hollis): Order! For any further divisions, the bells will ring for two minutes.

Clause 8, as read, agreed to.

Clauses 9 to 15, as read, agreed to.

Clause 16—

Mr COOMBER (12.29 p.m.): This clause——

The TEMPORARY CHAIRMAN: Order! Would honourable members please resume their seats or leave the Chamber.

Mr COOMBER: I move the following amendment—

"At page 7, omit lines 8 to 12 and insert—

'Zoning of site

16. This Act has effect subject to the provisions of the Local Government Act 1936 and the Local Government (Planning and Environment) Act 1990 that relate to the purpose for which the site may lawfully be used.' "

Every member of the public who lives in a local authority area takes great delight in ensuring that local authorities follow their town plan. In local authorities that I have known, when a major development is proposed there is always significant objection. Whether it be one or one thousand, all objections are the same and they are registered, recorded and considered by local authorities to be the same. With this legislation, the Government is removing the town-planning rights of the Townsville City Council. The site is automatically being included in a zone. In reality, it is a ministerial rezoning. The Minister is on record as saying on many occasions that this Government will not undertake any ministerial rezonings, but in reality that is what is happening today.

The normal practice that should be followed, and what the Liberal Party is asking, is that this matter be subject to an application by the joint venturers, that it be advertised and that people who have any problems with this application have the right to object, and that those objections be heard by the local authority. That may cause a delay. I am quite aware that it would. But every other company, joint-venture partner or private individual who applies to any local authority in Queensland has to run the gamut of the rules of the town plan and the Local Government Act. That will not apply in Townsville. Be that as it may, for a facility as significant as this one, which will provide benefits to Townsville, I do not see why there should apply to this project a set of circumstances separate from those applying to every other application that comes before local government in Queensland.

Mr BURNS: The member for Currumbin is drawing the longbow by talking about a ministerial rezoning. This relates to an Act of Parliament, not a ministerial rezoning. Ministerial rezonings were undertaken when the Minister made an arrangement with a developer. As I have said on a number of occasions, this Government will not make arrangements with developers. We are asking the Parliament to approve—and it is also a request from the council—that this block of land be zoned for the purposes of this Bill. The people want to get the project started.

As the honourable member for Somerset knows, this matter has been debated for about five years. For the past two years, the honourable member for Townsville has been backwards and forwards. The matter has been mentioned in newspapers for the past two years. The Government has received no objection to the proposal. All we are doing is facilitating what the Townsville council has asked us to do. The block of land on which the casino is built did not exist some years ago. It was created out of the sea. People next door to it are not going to complain about it. The only reason for this proposed amendment would be to torpedo the scheme, hold it up and destroy the whole idea of it. That is what went wrong before. The viability of the scheme was undermined by people who wanted to use red tape to stop it.

Mr GUNN: As the Minister said, it is an Act of Parliament. But if it were a ministerial rezoning, so be it. As the relevant Local Government Minister, I undertook ministerial rezonings only if it was the wish of the councils concerned. There is nothing wrong with that. I take it from what the Minister says that it is the wish of those councils that this be done. It is not a ministerial zoning, it is an Act of Parliament, and people either support it or reject it.

Mr DAVIES: I support the comments of the two previous speakers. I wish to add that a good example of what the Liberal Party would do for Townsville is the Magnetic Quays project. For many years, that project was held up by the processes, and now it is basically a rotting mess. I believe that the Liberals are seeking to hold up this vitally important project for the people of Townsville and that they deserve to be condemned.

Mr COOMBER: Today, I suppose the people of Queensland have seen that we will have no more ministerial rezonings; we will have Acts of Parliament. For the record, I state that this is really a wolf in sheep's clothing.

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

DIVISION

Resolved in the affirmative.

Clause 16, as read, agreed to.
Clauses 17 to 19 and Schedules 1 and 2, as read, agreed to.
Bill reported, without amendment.

Third Reading

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

QUEENSLAND BUILDING SERVICES AUTHORITY BILL

Second Reading

Debate resumed from 27 November (see p. 3325).

Hon. W. A. M. GUNN (Somerset) (12.45 p.m.): I support the Bill with some reservations. Since the Bill was drafted, it has had rather a stormy passage and people still have some concerns about it. Naturally enough, I was approached by the HIA and the Master Builders Association. Those bodies had grave reservations about the Bill. The Minister has informed me that he has had quite a lot of dialogue with representatives of

those organisations. The National Party and members of the community are concerned that the Bill does not evenly balance the interests of the builder and the consumer. The Opposition considers that it is heavily weighed in favour of the consumer. Even the *Investigators* would agree that the consumer is a big winner in the Bill. The Bill not only favours the consumer but also bends over backwards to do whatever it can for him. The result is that we do not have a level playing field—that expression about which we hear so much. The Government must have legitimate reasons for being so strong in protecting the consumer. I do not know what those reasons are. There is nothing wrong with protecting consumers, but the best idea is to keep everybody happy so that, at the end of the day, the building industry is happy with the legislation and the jobs and the economy can go ahead as normal.

This is not the right time for repressive legislation to restrict the industry in any way. I do not know that the Bill will do that, and I certainly hope it does not. Thanks to years of sound financial management by the National Party Government, Queensland is wearing the Australian Labor Party induced recession better than any other State. That is very pleasing. Having spent nine years in Cabinet—six of them as Deputy Premier—it is personally very pleasing to see that our State is leading the others. In the building industry, there is good news and bad news. For the month of October, the number of new dwelling units approved was 3 916, or nearly 30 per cent of all dwelling units approved in Australia. That is a good effort. That figure is some 45 per cent higher than the figure for the same time last year. In effect, that means that Queensland is going ahead and that everything is running well. As I remember it, when the Builders Registration Board was in operation—and, until the Bill is passed, it still is in operation—complaints were made about only 4 per cent of buildings. That is not a bad record. Queensland has only 17 per cent of the nation's population, yet it generated 30 per cent of the nation's dwelling units, which is the highest of any Australian State.

There is no doubt that the housing industry in Queensland has been in good form for many years. If Queensland had generated 30 per cent of the nation's dwelling units under normal circumstances, its economy would be booming, but that is not the case. For the last 12 months, the building industry in Queensland has been in good shape, but the rest of Australia is still wallowing around in the bottom of the recessionary trough. I would like to think that we have reached the bottom of that trough. The value of non-residential buildings constructed in Queensland in October totalled almost $393m, which is 50 per cent of the total value of the non-residential buildings constructed in Australia. That is a 300 per cent increase when compared with this time last year. That is excellent. When compared with other Australian States, Queensland has experienced strong growth in the building industry which is good for the Queensland economy, its building industry and employment. The latest analysis suggests that the number of building approvals should continue to increase and that it should reach a peak in about 1992. One of the reasons for the sharp recovery experienced in Queensland housing is the rapid population growth in this State, which has been maintained. That is also excellent. The figures for Queensland are 2.3 per cent as against 1.5 per cent nationally.

However, we should not get carried away, because Australia is still trying to climb out of the recession induced by the Federal Government. One only has to look back over the past year at the financial collapses occurring in the building industry to know that, despite the present buoyancy in the industry, this does not reflect the true picture. The property developer Pat Zarro has had bankruptcy proceedings initiated against him, the Kern Corporation is in receivership, Raptis Group Limited shares have been suspended, Dobson and Corry have collapsed, John Minuzzo has been declared bankrupt and Girvan Brothers has collapsed. Confidence is not strong and the building industry needs to be encouraged, not discouraged. This Bill does not encourage the building industry, which is

dragging itself through a period of high interest rates. The Bill reflects an inherent weakness on the part of the Goss Labor Government—the lack of an economic policy to generate jobs and confidence. Confidence is needed if jobs are to be created. One only has to look at the input of Ministers holding key economic portfolios, such as Lands, Primary Industries, Business and Industry, and Resource Industries, in the economic debate and the formulation of policy generally to know that they are being swamped by the arguments of social reformers and lawyers. There is the old saying that if one laid all the lawyers from head to feet, one could not reach a conclusion. That is probably right.

Mr Beattie: That's a bit unfair.

Mr GUNN: I am sorry. I thought the honourable member for Brisbane Central was sleeping and that is why I said it. I thought that he would probably disagree, because we would not be in business if we agreed. Unfortunately, economic considerations such as jobs and business survival have come last. This Bill has all the hallmarks of the lawyers dominating the debate in Cabinet. The Minister in charge of this Bill would probably say that he won the debate because the legislation is balanced towards the consumer or, as he would call them, the "little battlers". Battlers need jobs very badly. There are plenty of battlers in Queensland. I do not want the Minister to talk too much because I had the same illness last week. I do not know whether I gave it to him or not.

Mr Hollis: I thought you were getting very close.

Mr GUNN: I have been in Parliament with the Minister for 20 years and we have had many an argument across the Chamber. It could not be said that we are enemies. As I said, the Opposition is not opposing the Bill. It does have good elements and other elements which do not change existing practices. They are the worrying elements of the Bill, but I take on board the fact that the Minister is always willing to amend legislation if things do not go right. The Minister has had a great deal of dialogue with the HIA and the Master Builders Association. Those bodies are the ones that must be kept satisfied. Today, a peculiar situation exists which did not exist many years ago. Many of today's builders sit in their offices on the twentieth floor of multistorey buildings and the subcontractors do all the work. This is what is wrong. I was not involved in the building of my house, but I built a fairly large extension onto it. I stipulated the size of the timber and the type of the timber I wanted to use in the extension. I will not name any of the big building firms, but recently at a friend's house I was amazed to discover how much the building firm had cut back on the timber. This is one matter that must be watched. I am not against the Minister appointing watchdogs in relation to this particular field because, as I have said in this Parliament on many previous occasions, the building of a home is probably the biggest project that a young couple will ever undertake. I appreciate their point of view and I understand the difficulties that they experience. When young people approach me with a complaint, I refer it to the Builders Registration Board. I am all for those young people because they are the people who must be satisfied, particularly as it will take them 20 years to pay for the goddamn house.

Throughout the life of this Government, the Opposition has noted that positions on boards and other key positions have gone to people of a political persuasion that is similar to that of members of the Labor Government. One of the worries felt by members of the Opposition in relation to cronyism is that if people who constitute a deputation have the thought in the backs of their minds that they are dealing with an officer who has been appointed for the sake of appointing him, they will have no confidence in him. The Opposition cannot do a great deal about these types of appointments, but I advise the Minister to appoint people who have some experience and skill; otherwise, there is no doubt that the effectiveness of the authority will lose some of its impact.

The Opposition has some reservations about the decisions contained in Division 4. I am sure that the Minister has received many representations from interested groups because this part of the Bill relates to conditions of licence, including the imposition of conditions attached to the granting of a licence. The Bill gives the authority the ability to inquire into builders' affairs when it suspects those builders are in financial trouble. The Opposition is concerned that a builder who may only just be able to survive in the industry will be subjected to intervention on the part of the authority which may have disastrous effects. The authority will have to be pretty diplomatic because any adverse intervention could push builders to the wall simply because it occurs at the wrong time. I believe that is why the HIA and the Master Builders Association have expressed a number of reservations about this part of the Bill. I am sure that the Minister recognises that he will have to be very diplomatic in handling the implementation of these provisions to avoid the authority acting too hastily, thereby bringing about the end of a building firm. The Minister would also know that many companies and businesses in the present economic climate are only marginally viable through no fault of the owners and managers. Present economic conditions are pretty tough and there can be no earthly doubt that the high rates of interest have played a major part in threatening the viability of those businesses. In many cases, businesses go broke for reasons other than poor economic or administrative management—reasons that have more to do with economic conditions that exist currently right across Australia.

I note that builders will have to bear the costs of providing the authority with all necessary data, which will add to the costs of the construction. The Minister must ensure that the officers of the authority have sufficient skill and expertise to be able to assess and evaluate that data. Altogether, the provisions contained in Division 4 amount to a very costly exercise, which worries me greatly. I wonder how much this will add to the cost of buildings. In the very early stages, it was suggested that these provisions could add between $5,000 and $10,000 to the cost of a new building. If the Minister has more up-to-date information, he can correct what I am saying in his reply. After all, young people who are saving to buy a home very often have enough difficulty scraping together a deposit, let alone face up to paying an additional $5,000. I am sure that the Minister will explain the circumstances in his reply. I mention it simply because the HIA originally suggested that these provisions could add to building costs. I realise that the vexatious grumblings of people are a nuisance to the Minister, but some people may be out to deliberately cause damage to a builder, and I advise the Minister to be very careful about the implementation of these provisions. When the authority imposes conditions on a builder and undertakes investigations in order to determine appropriate conditions, such activity could begin some rumours, and that is not good for the company concerned and does not augur well for the creation of job opportunities. I have no doubt that the Minister can recall that in the past rumours caused the collapse of a major building society. At that time, we were both members of this Parliament and I can remember one day when a run was made on a building society simply on the basis of a rumour.

Mr Burns: You started it.

Mr GUNN: We will not go into that. I am sure that it is not the intent of this legislation to embark on witch-hunts or to set one company against another. I am simply alerting the Minister to the dangers lurking in the implementation of this legislation. The Opposition, basically, does not have a problem with the administration of contracts for domestic construction, but clause 59 is a matter of concern. I do not intend to deal with the clauses, but I would like to foreshadow some problems that could arise. There is a slight worry that this clause strongly favours the consumer, whereas there is a heavy onus on the builder to be very precise. I am sure the Minister realises that even very good builders are not well versed in contract administration. These people are usually

tremendously good at their building work, and that is about it. It is the understanding of the Opposition that the Queensland Building Tribunal provided for in the Bill is very different from the one which was originally proposed and which enjoyed some support from industry groups. I ask the Minister whether I am right about that.

Mr Burns: You are right, yes.

Mr GUNN: The tribunal is a fully-fledged body, but I can assure consumers and builders that it will not be cheap. An estimate of the cost of the tribunal that has been tossed round is as high as $900,000.

Mr Burns: I do not know. I have no idea.

Mr GUNN: These high costs are the problem. Once again, the lawyers are running rampant.

Mr Burns: It will cost $200,000.

Mr GUNN: That is much better. The worst thing the Minister could ever do is give lawyers an open chequebook. For God's sake, a person cannot speak to a lawyer on the telephone without spending $50.

Mr Burns: I haven't rung them up for a while.

Mr GUNN: I advise the Minister not to do so. Instead, he should meet lawyers at his club or somewhere. There can be no doubt that if a person has an open chequebook, he can become very popular very quickly, but the Opposition would not like to see any overkill in this legislation. Having said that, I acknowledge that the Minister has stated that it will cost $200,000, and I will not quibble about that amount. However, if the costs get up to around about the $1m mark, the Opposition would be very concerned.

Sitting suspended from 1 to 2.30 p.m.

Mr GUNN: Before the luncheon recess, I was talking about the tribunal. Surely the objectives of the tribunal should be to provide easy, fair and cheap access for the resolution of building disputes. That should be the name of the game. It seems that this Government has sought to overkill a lot of those things. It did the same with the Health Rights Commission. I worry about that. Division 3 gives the tribunal the power to require the attendance of witnesses, powers relating to the taking of evidence, reference of matter for expert report, entry and inspection of property, contempt of the tribunal and the protection of members. There are also proceedings before the tribunal which are followed by the enforcement of tribunal determinations. It goes on and on and on.

There are lots of avenues for appeal to reconsider things. The Opposition understands that the original intention of this legislation was to provide easy, fair, quick and cheap access for the resolution of building disputes. That objective seems to have been lost in the rights of appeal, a review and the rules of evidence that are now part of this Bill. The Opposition does not want to be negative in regard to the tribunal, but it worries about the rights of appeal; it worries about the time factor and the holding up of the construction of a building. Those things are very important because they can be costly. No doubt, the Minister will address these matters in his reply. There is a lot of potential for the tribunal to get bogged down. I repeat that it is the jurisdiction of the tribunal that is the main substance of the Opposition's reservations in this legislation. The tribunal does have the potential to be of significant benefit to the industry to resolve disputes quickly, efficiently, and cheaply. The advantage seems to have gone with the objectives that are outlined in the Bill. A tribunal that would resolve disputes quickly is needed. Instead, what is outlined in this Bill is a long, complicated and expensive procedure. What is needed is a system that allows things to be sorted out extremely quickly and gets the job done. The question must be asked: is it going to be effective? It is not going to be effective. It will have an impact on the building industry that has never been seen before.

The Opposition is concerned about many of the policies contained in the Bill; it is concerned about how they will be implemented; and it is concerned about how they will apply and operate in practice. That is where this legislation could fall down. I hope that it does not, because I do not want that to happen. I believe also that the Minister does not want that to happen. It could be trial and error, and it is one of the things he will have to watch. If anything happens, it slows down the building process. The Minister would realise that it can cause a political backlash. When a couple decide that they are going to build a house—and the wife usually wants it the next day—they want the house completed. They usually visit the site. A couple of days ago, I was talking to a lady who was building a house just outside Brisbane. It is the first and only home that she will ever build. She visits the site every day. It must get on the nerves of some of the builders. Most of the time she did not know what she was talking about. People generally leave these things to those who are skilled in that area.

The Opposition has the overall impression that this legislation tips the balance in the direction of the consumer. As I pointed out, there are some fairly significant consumer protection components in the Bill. The Opposition hopes that this legislation can come close to a level playing field in relation to builders. I am not coming out particularly on the side of the builders, but they are a very important element of this legislation. The Government seeks to satisfy the requirements of the consumers, but it must also satisfy the requirements of the builders. With the reservations that I have stated, the Opposition supports this legislation.

Mr BEATTIE (Brisbane Central) (2.35 p.m.): I support the Queensland Building Services Authority Bill. I notice that the Opposition spokesman, Mr Gunn, demonstrated his usual common sense in supporting this legislation. After working with him on a parliamentary committee, I am used to the honourable member's commonsense attitude.

Mr Gunn: You have not thought about giving us a rise in pay?

Mr BEATTIE: That is not within my power, but if it was, I believe the honourable member and I should have a salary rise by a factor of 10 after the excellent job we have done. I cannot speak too highly of the job the honourable member has done as deputy chairman of the Parliamentary Criminal Justice Committee. This Bill is certainly Australian landmark legislation in regulating the building industry. It provides greater protection for all sides involved in the industry. Obviously, those people include consumers, subcontractors and builders. The legislation has provisions that will establish mechanisms to speed up settlement of disputes over home-building, as well as new structures and services to tighten licensing provisions, improve training for builders and subcontractors and improve the level of advice offered to consumers, as well as improve dispute resolution. In the long term, that will provide greater confidence in the industry, and I believe this will mean that the industry will be in a much better position. Everyone knows that the Queensland Building Services Board will replace the Builders Registration Board. The new board will provide for the first time representatives of consumers, subcontractors and designers as well as builders.

This afternoon, I want to make a few important remarks about this legislation. The first point relates to the process involved in consultation. This is a hallmark of the Goss Government, and it is certainly a hallmark of this Minister. This level of consultation over a long time involved everyone from the QMBA, the HIA, subcontractors groups, consumers and so on. It was handled very capably, not only by the Minister but also, on his behalf, by Raelene Kelly. This afternoon, I place on record a tribute to Raelene Kelly for the excellent job that she has done. I think everyone would appreciate that, when one comes to reviewing areas such as this, naturally there are entrenched positions and it is not always easy at the outset to work through those entrenched positions to come up with sensible, practical solutions that will work. Raelene Kelly has been able to achieve not only that but

also the cooperation and the respect of the industry. Coupled with the attitude that this Minister has demonstrated, the consultation process has played a very significant part of the success of this legislation, and that is why this afternoon we have the support of the National Party for it.

The other day I represented the Minister at a function involving the building industry. It was interesting to hear the industry's attitude towards this Government and towards this process. Obviously, it did not agree with everything that we have done, but it does agree with the large majority of things that we have done. The hallmark and the key of the industry's support for this Government is the fact that it is appreciative of the consultation process; it is appreciative that its advice is sought and that, where possible, that advice is accepted. The importance of this legislation is fairly clear. For the ordinary young couple or ordinary Australians, buying a home is the biggest investment they will make in their lives. It is also the biggest debt that they will incur, their biggest commitment. Strangely, from the consumer's point of view, Governments have spent more time regulating toasters, jugs and such things than regulating the building industry. That gives some idea of the wrong priorities that were adopted in the past and why this legislation is so important. As I said, it deals with the biggest investment that young couples ever make.

Unfortunately, we are being forced to deal in this legislation with the small percentage of people in the building industry who go bad. I do not think anyone would argue that 95 per cent of builders are good people, who do a good job. They give value for money and they work very hard. Unfortunately, 5 per cent of builders are scum bags who are not doing the right thing by the consumers or the community. It is sad that, in these circumstances, we still need to provide legislation to deal with that minority of builders who are not doing the right thing. On this last day of sitting this year, I do not intend to go, at any great length, into the details of the legislation other than to say that it is good legislation, that it is long overdue, and that this Minister needs to be congratulated, and so does Raelene Kelly.

Mr J. N. GOSS (Aspley) (2.40 p.m.): Since the Minister delivered his second-reading speech, we have had time to study the Bill. There seems to have been a widening of the powers governing the overall building industry, not so much in the form of building control legislation as in the very wide definition of what constitutes building work. The Minister has said that the legislation provides for greater protection for all involved in the industry—the builders, the subcontractors and the consumers. This, of course, is to be applauded. The concept of equity for all involved in the industry, although commended, is not made apparent in a number of the provisions of this Bill. The responsibilities and the role of the Queensland Building Services Board have been diminished, supposedly to make the authority more accountable than the present board. There has been some unfair criticism of the present board and the previous board. The previous board did not have the authority to act in some of the cases, and it appeared to the public that the board was a failure. The new board has been stripped of some of its powers to do anything other than make and review policies governing the administration of this Act and to monitor the registrar/general manager.

The membership of the new board has been significantly increased to 13 members, all of whom are nominated by the Minister or are selected by the Minister from a panel. That leaves it open to accusations of cronyism. Although the board members will not be paid fees, there is nothing to say that friends of the Government could not be placed in suitable positions on the board. I have no qualms about the chairman of the board being appointed by the Minister, because that has always been the tradition. However, I believe that the HIA, the Masters Builders Association and the Australian Institute of Building are quite capable of choosing a responsible person to be on the board as their sole nominee

and representative. It appears that, by asking those organisations to put forward names, the Government does not have sufficient confidence in them to choose an appropriate person. Two persons are to be nominated by the Minister to represent the community. I do not suppose that will be an easy task, either, because the Minister will have to find two people to represent, for three or four months, a consumer who is buying a house or having a house built. I would have thought that the person representing the insurance industry would be nominated by the Insurance Council of Australia and that that person's name would have been forwarded to the Minister. Because of the number of organisations, having representatives from the trades area does have problems. I would have thought that the Minister would call together representatives of the master painters and decorators, the bricklayers, the concrete contractors, the electrical contractors, and so on and ask them to choose, among themselves, the names of three people to be their representatives on the board. As I said, I feel that by the Minister basically nominating or selecting all members of the board——

Mr Beattie: You are supporting the Bill?

Mr J. N. GOSS: Be a little patient. I realise that the member for Brisbane Central probably has a Christmas party to attend, but this is very important. That is an area of concern. As I have already remarked, the board has been increased, but when one looks at the responsibilities of the registrar/general manager of the board, one sees that that person is bound by the board's policies. At the same time, the legislation says that the registrar/general manager is exempt from, and is independent of, the board's control. So, there is a large board of 13 members who really look after policy. At the same time, the Minister can direct the board, yet the registrar/general manager can really go along and do his own thing entirely. It has been estimated by the consultant whom the Government employed that the authority will have to increase the number of its employees from about 60 to 120. If all subcontractors and others are going to be licensed, that will certainly increase the costs to the authority substantially. The idea of grading is expressed in the Green Paper on security of payments for subcontractors, and I believe that perhaps we should have waited until we had some more input on that matter from some of these organisations. There are also the lists of licensees. I feel strongly that the lists should be made freely available to the public. I have no doubt that out in the real world there are people who will do anything to take other people down. That is why the lists should be made freely available.

Mr Burns: We do it now.

Mr J. N. GOSS: The legislation really does not say that. Those lists should be freely available and widely publicised. When the authority comes into operation, part of the publicity about it should be directed at encouraging people to make sure that the builder's licence number matches up, and they are not being had.

Mr Burns: We will publish it in the *Government Gazette* each year for everybody to see.

Mr J. N. GOSS: Yes, but not many householders would see a copy of the *Government Gazette*.

Mr Burns interjected.

Mr J. N. GOSS: I can assure the Minister that when a person decides to have a house built, all caution is thrown to the wind. Recently, I was talking to some people, who told me that a door was built on the wrong side of their house. They had seen an old-style project home that had been built by a project builder. The design had changed significantly. The people had not studied the plans or carefully gone into the specifications, because they were so keen to sign the documents and get the house built. People really do not sit down and go through the plans. Afterwards they turn around and

say, “The builder is wrong. We have this enormous problem”, but they really have not sat down, studied their plans, and gone through them with the builder. There is the excitement of building a home and wanting to get into it at any cost, and sometimes that is to their detriment.

The legislation provides that a copy of the specifications and plans—not only for new dwellings, but for substantial repairs and the remodelling of homes—are to be forwarded to the authority. In a good year, perhaps the authority would end up receiving about 100 000 specifications and plans. I do not know whether the authority will be saddled with those documents for six years, but certainly there will be a warehouse full of paper. I would have thought that, if there is a dispute, it probably would be more appropriate to obtain a copy of those plans from the local authority, as most local authorities hold on to them.

I hope that in the longer term, if there are problems with the Bill, they will be sorted out. The Minister said that he is flexible and that, if problems arise, he is prepared to bring it back to the House. He indicated that he will not be stubborn and that he is prepared to bring in amendments which will make the operation of the authority flow smoothly and make sure that people are not disadvantaged. The member for Somerset referred to people who visit sites and to the ease of access to domestic building sites. The Workplace Health and Safety Act provides that visitors to a site should wear hard hats and safety gear. Under this legislation, it appears that ease of access to building sites will be a little tougher than it was before. When people wander around building sites without hard hats or safety gear and building is in progress, problems are created. When people stand and gaze, admire and dream about the style of carpet they are going to lay, the builder is supposed to stop work, which adds to the cost.

I turn to prime cost items. I believe that items are not worth the price that is asked for them and that I can purchase things much cheaper than other people can. In the past, I have told builders that I could get taps for a certain price which turned out to be an unrealistic price. When that occurs and time passes by, the price of the article doubles. That causes a problem, because the builder is held liable for that increase in price. When people sign contracts for their homes, they do not know the cost of everything; they do not know the style of tiles or bath they want. It is only after they have visited the building site with about 20 different tiles and held them up on the wall that they make a decision about the tiles they want. People who change their mind about such items drive the builders nuts, because sometimes a builder has already ordered a particular item. In some areas, by allowing too much freedom to the consumer, the Bill is harsh on the builder.

Mr Burns: We will have to wait and see how it works.

Mr J. N. GOSS: Yes. And I would like to think that the authority would be very understanding of some of the hardships that builders will experience. I hope that the authority will not apply the penalties ruthlessly.

Mr McGRADY (Mount Isa) (2.56 p.m.): As a member of the Minister’s committee, I have been involved in the legislation from the beginning. From time to time, different types of legislation come before this Parliament. Some of the Bills introduce new ideas into the State; others rectify some of the anomalies which exist in current practices. Before I continue, I will reiterate the reason why the legislation is before the Parliament today. All honourable members, and particularly people in industry around the State, would know that prior to 1989 there was general dissatisfaction with the service that the Builders Registration Board gave to both the consumers and the builders. It is generally accepted by everybody in the trade that that board was less than effective in the Mansard collapse and in other building failures which every one of us could cite today in this Parliament. The board has been seen as being closed, self-interested and industry controlled and the

general feeling amongst the industry is that the existing Act is quite inadequate. That is why this legislation is before the Parliament today. Because most of the previous speakers have been very complimentary to the proposed legislation, I will not take much time in the debate.

I will relate one or two instances which occurred in Mount Isa. The Master Builders Association embarked on a campaign whereby it tried to discredit some of the provisions of this legislation. One of its representatives visited Mount Isa and spoke to most people in the industry and frightened them. Therefore, I received a delegation comprising representatives of the Master Builders Association and the local builders in the city. I tried to persuade them that some of the fears they held were not real fears. I invited Raelene Kelly to come to Mount Isa to explain to the industry at first hand what the legislation meant. I arranged a meeting for 6 o'clock one evening and invited everyone from the industry to come along. I explained to Raelene that, because I had another function to attend, I might not be there at exactly 6 o'clock. In fact, I was helping to celebrate the twenty-fifth anniversary of the formation of the *North West Star*, which is the local paper in my district. I arrived at the building in which the meeting was to take place at about 6.15 p.m. I said to my wife, "Look, I expect there to be some harsh words here. I certainly expect the meeting to be less than quiet." As I walked up the stairs, the meeting hall was quiet. Of course, Raelene Kelly had the floor. The way in which she handled those people and the way in which she explained to them the problems in the industry and how this new Bill would rectify many of their concerns was quite amazing.

Last night, an Opposition member brought into this Chamber a dictionary to try to explain to the Parliament the meaning of the word "consultation". Right from the very beginning of this Bill, there has been total consultation with the public and with all sections of the industry. As the member for Brisbane Central stated a few moments ago, this Parliament and, indeed, this State, should place on record their appreciation of the work that Raelene Kelly has done over a long period during which she has managed to knit together all the various conflicting views from the different sections of the industry. If her performance around the State was similar to her performance in Mount Isa, she certainly brought these people into her confidence and they certainly are now aware of the provisions of the Bill. As far as I am concerned, the people to whom I spoke after the meeting were more than happy with the explanations which she gave.

I think every one of us in this Chamber would have some experiences that demonstrated that the Builders Registration Board was somewhat lacking in some of its powers and in some of the decisions it made over a long period. I believe that the recommendations in this legislation will go a long way toward rectifying many of those problems. I think again every one of us in this Chamber would have had experiences with some builders or local contractors who through no fault of their own have gone broke. Only quite recently in my home city, one of the major builders—a builder who had come into Mount Isa to do a job—went broke. Builders are not the only ones who suffer. The real people who suffer are the small-businesspeople such as electricians and glaziers who just cannot afford to do their work and not be paid. I am delighted to be associated with this Bill. I compliment the Minister on the way in which he has handled this legislation and on the way in which he has consulted with the whole of the industry. I reiterate my remarks about and praise for Raelene Kelly for the way in which she has carried this legislation through. I believe it deserves the unanimous support of this Parliament. I congratulate the opposition speakers on the way in which they have indicated that their particular parties will be prepared to support this legislation and see it through in the years ahead. I ask members to support this Bill.

Dr CLARK (Barron River) (3.03 p.m.): On 6 December 1990, the report of the Home Building Review was tabled in this Parliament. That report, containing some 76

recommendations, was the result of a 12-month review of the home-building industry conducted, as we have heard, by Ms Raelene Kelly, barrister at law. The objective of this review was to review consumer protection in the housing industry in order to strike an appropriate balance between the interests of all parties in the industry. Indeed, that is what has been achieved in this reformist legislation. In the course of the review, Ms Kelly received approximately 400 submissions from builders, subcontractors, consumers, industry groups and other interested parties. There were public hearings throughout Queensland at which further oral submissions were received. The review dealt with all of the major issues confronting the home-building industry in Queensland at the present time.

As we have heard, following the release of that report concern was expressed by the industry—by the Master Builders Association and the Housing Industry Association—about the cost, the practicality and a whole range of other issues. But what did this Government do? We took on board those comments and we went back and carried out the consultation that was necessary. As we have heard from the member for Mount Isa, Raelene Kelly went out to regional Queensland and met with groups. Ms Kelly came to Cairns, where she met with large numbers of people and talked through with them the concerns that they had. Again in Cairns, I met with members of the Master Builders Association and they were in fact very helpful to me in terms of explaining their views of the report and their concerns. That gave me an insight into the views of the industry and its concerns.

A positive outcome, though, of consultation is that when someone takes the time to sit down and talk issues through with people, one finds that common ground can be identified. That is what has happened in this instance. As members of the legislative committee, we actually came to Parliament House one Sunday, I think, to meet with members of the industry. We took the time and we did the work. We have found that there is common ground that can be achieved. This Bill is the final outcome of that very lengthy process which I have gone through just to remind members of what work is necessary if an outcome that people can agree with is to be arrived at. We are committed to putting in that amount of work. I am pleased to say that Queensland will now have legislation by which the building industry will be in a stronger position by providing greater protection for all sides involved in the industry, namely, the builders, the subcontractors and the consumers. In summary, the Bill will provide legislative backing to limit unfair practices, defective quality, unjust contracts and provide the means to quickly remedy complaints.

I have never built a house myself, I have always purchased the ready-made variety. I have never actually been game to go through what I regarded as a difficult and lengthy process fraught with problems. I can quite honestly say that I might now be willing to give it a try because I think there now is a sufficiently detailed account of how consumers, such as the person who contracts to have his home built, will be protected. I should say also, though, when referring to consumers that I also recognise that sometimes the builders equally need protection from the person who wants a house built. It does go both ways. This legislation provides for the first time some protection for those builders and, indeed, the subcontractors.

I will deal now with some specific issues in the Bill, particularly those that have been of concern to the industry, to show just how they have been tackled to come up with something that is workable. This legislation brings into being the Queensland Building Services Authority, which consists of the Building Services Board, a registrar/general manager and the Home Building Advisory Service. I will turn first to the Building Services Board. Previously, when it was known as the Builders Registration Board, it comprised three representatives of the building industry, one representative of the consumers and one representative of the insurance industry. The new board has additional

representation, so that there is now representation for subcontractors and designers, and an additional representative of consumers. This very important reform provides a much wider range of representation on that important board.

It is interesting to note that the home-building review report of Raelene Kelly recommended that nominations for the building industry representatives on that board should be called in general rather than from particular organisations. That is because it was felt that perhaps those organisations did not entirely represent the whole industry. That became a very contentious point. It is important to recognise that those concerns were taken on board. The Minister was willing to recognise that there was a need for building industry organisations to be sure of having a voice on the board. Indeed, that is what is happening. The board will now include a representative from the QMBA, the HIA and the Australian Institute of Building.

It is common knowledge that the Builders Registration Board has been widely criticised as being slow, ineffective and unresponsive to consumers and that it accepted standards that were far too low and was subject to political interference and potential conflict of interest, with board members often making quasi-judicial decisions affecting their own members in many cases. It is now proposed in clause 7 that, if the Minister proposes to direct the authority, that direction must be given in writing and tabled in Parliament so that it is there for everyone to see, and there is no longer any indirect, behind-closed-doors interference. The board itself will have a changed focus. Its primary role will be policy-setting and advising the Minister. It will monitor the activities of the registrar/general manager, who is actually responsible for administering the Act. The board will also deal with the activities of the Home Building Advisory Service. The board's disciplinary role, which caused so many problems, has now been allocated to the tribunal, to which I will refer later. I believe that this fundamental restructuring of the board will enable it to be more effective and efficient and to respond to the challenges that lie ahead for the building industry. Of course, I am aware of concerns that existed in some sections of the industry regarding the additional powers given to the registrar/general manager in the administration of the Act. It is important to point out that clause 19 expressly indicates that he or she is bound by the policies set by the board itself. So there is that control by board members of the actual conduct of the registrar/general manager.

The other component of the authority is the Home Building Advisory Service, which will provide a much-needed independent source of information for consumers. As members have heard, building a home is often the single, most important thing that a young couple will do in their lives. It is often the most significant investment that they make and the most difficult thing that they do. Those people need advice so that the choices and decisions that they make turn out to be in their best interests in the long run. I hope that the advisory service will have a 008 number so that members of rural and regional Queensland will be able to benefit from the advice that can be provided through that service. I point out to members the range of functions of that advisory service, which is quite considerable. The advisory service will provide advice to consumers regarding their statutory rights and obligations; their contractual rights and obligations in relation to building contracts; insurance claims that may arise in relation to building work; and the role, functions and operating procedures of the authority. Importantly, the advisory service will provide courses of instruction for those seeking to obtain licences, for licensees and for those who propose to carry out building work as owner/builders. Those are some of the very important roles of the advisory service.

A major change under this Bill relates to tighter licensing provisions for all contractors engaged in the building industry to regulate performance. This means that, under these new arrangements, subcontractors, builders and building supervisors will have to be licensed. This will undoubtedly raise the standard of work performed over a

period and increase consumer confidence. I believe that it is important to note that the money that will be raised from the registration of subcontractors will go towards the training that is needed to raise the quality of their work, which is needed in many cases. It will then be unlawful to carry out building work without an appropriate licence. Building work must also be supervised by appropriately licensed persons. Stiff penalties exist for persons in breach of clauses 42 and 43 who carry out any unlawful work.

I turn now to the issue of dispute resolution. In the past, access to justice by parties in the home-building industry has been impeded by costs and delays, with matters often taking months to get to court. And of course, the only people who benefit ultimately are the lawyers. There is a need for a quick, inexpensive dispute resolution process. For this purpose, the legislation makes provision for the Queensland Building Tribunal to be chaired by a serving or retired judge. It is important to point out at this stage that local mediation will occur using locally based inspectors. In fact, we are assuming that most of the more routine matters that comprise the bulk of issues that will arise in the building industry can be resolved by local mediators very quickly and very easily on the spot. Only in cases in which that level of mediation fails will the matter actually go to the tribunal.

Clause 87 of the Bill specifies—because we want to make this point very clearly—that the proceedings are to be conducted with little formality and technicality and with as much speed as a proper consideration of the matter allows. We do not want it to be overly legalistic and costly or too technical so that people are put off and alienated by being part of that tribunal process. Clause 90 is very significant for me, because I come from north Queensland. I believe that it will break new ground for Queensland. This clause allows the tribunal to conduct proceedings by means of telephone conferencing and video conferencing. I understand that the High Court regularly uses video conferencing. I will certainly be monitoring this aspect very closely to see how it works out in practice. I certainly hope that it is successful, because people in the north and west of the State must not be disadvantaged by lack of access to the tribunal.

It is important that the tribunal has been given real powers. People must know that, if they go to the tribunal and have their cases heard, there will actually be some consequences. The tribunal will be able to order the payment of a monetary sum found to be owing by one party to another. It will also be able to award damages, including exemplary damages and damages in the nature of interest. It will be able to order restitution, avoid any unjust contractual term or otherwise vary a contract to avoid injustice, avoid a policy of insurance under the statutory insurance scheme, order rectification of defective or incomplete building work and award costs. The tribunal has some very important powers to enable it to make a significant difference. It has access to appropriate expertise to assist in the case of technical matters so that the judge can send off an investigator to look into a matter and bring back an appropriate technical report so that that report can be considered and can guide the judge in the settlement that is made. The judge can also appoint a mediator. Again, we have another opportunity to access mediators who can try to achieve a mediated, negotiated settlement that can then be ratified by the tribunal itself. It is important to know that the tribunal also has powers to discipline a licensee or persons carrying out work that is not licensed.

Finally, I would like to address another matter that has been contentious, that is, the provisions in the legislation relating to the standard domestic building contracts. May I say that the legislation does not, as was feared by some, state that a mandatory standard contract must be used. That is not in the legislation. Instead, although the authority may prepare and publish suggested contractual forms for use in relation to domestic building work, the approach taken in the legislation is that all contracts should have certain minimum standards in relation to certain matters, including variations, contract price, prime cost items, cost escalation clauses, time for completion of work and progress

payments. All contracts will now have built into them appropriate standards regarding those issues that have been causing concern to people. Again, the Bill is not designed to bog things down or to make things difficult. It is designed so that everybody who is party to that contract knows what has been agreed to. They must know what it is that they have signed a contract for and how much their house will really cost them, so that that dream home does not become a nightmare.

May I conclude by joining other members who have congratulated Ms Raelene Kelly on the work that she has done on the review of the home building industry, which has played such a key role in achieving the reforms that we are debating here this afternoon. Congratulations, too, to the Minister and his staff on their willingness to keep at it, to keep working with all the stake-holders until we got broad agreement on the legislation. The legislation is testament to the value of consultation and negotiation, which is a hallmark of this Government. I support the Bill and look forward to a new era in the building industry characterised by greater protection for all sides—the builders, the subcontractors and the consumers. Unlike members opposite, I do not believe that the Government has it wrong. I think that the balance is appropriate. We are seeing now in Queensland that the rights of consumers not only in the building industry but also in a whole lot of other areas are being recognised. We are seeing now a redress of an imbalance that existed in the past when consumers so often came off second best.

Hon. T. J. BURNS (Lytton—Deputy Premier, Minister for Housing and Local Government) (3.19 p.m.), in reply: I thank honourable members for their contributions to the debate. As usual, my colleague Mr Gunn has a good, practical, commonsense way of looking at these matters. He says that he supports the Bill with reservations. I suppose the best I can do is have a look at his reservations later on. My throat is bad and I do not want to make a long contribution. The honourable member raised some questions about being discreet when we check on builders. It is true to say that the Government is worried about the financial viability of some builders, and it is also true to say that recently in my own area 37 Department of Housing houses were in the hands of a builder who is now in liquidation. That can happen from time to time. When we hear rumours that a builder is a bit shaky, the best way of protecting consumers and subcontractors is to look to see whether the builder has money or whether he is trying to run on hot air and keep going while hoping for some miracle. We will be discreet.

The registrar/general manager of the board is in the lobby this afternoon. He sat through the debate. He has listened to the contributions by the Opposition spokesman and the Liberal Party spokesman, Mr Goss. Mr Goss was kind enough to go and talk to the officers about some of the matters that he wanted to raise, because I am not in a condition to answer them all one after another. I thank my colleagues from my own side who have been party to the Bill—Tony McGrady, Margaret Woodgate, Lesley Clark and Peter Beattie, and the other members of the committee who have worked on this. The member for Whitsunday, the member for Mansfield and the member for Mount Gravatt have all spent many hours, as Lesley Clark said, talking to builders and listening to builders outline their problems with the Bill. Raelene Kelly got a big wrap this afternoon. She deserves it because she has been prepared to sit down and talk and argue the matter through.

No legislation that I introduce in the Parliament is set in concrete. I always have the view that one must be prepared to bring it back before the Parliament. The only way that the Government can find out whether legislation is any good is to introduce it and see whether it works out in the marketplace. If it works, well and good. If it has some problems, the Government can amend the legislation. Today, the Institute of Architects sent me a sheet, as did the arbiters, listing some of their concerns. We will pass those on to the general manager, along with the comments of members of this Parliament.

At the Committee stage, I will move a couple of amendments. Further down the notice paper the Judicial Review Bill is listed, but I understand that it will not be passed this afternoon. I now have to amend some clauses to make provision to remove the judicial review provisions in the Bill. I will implement this Bill before the Judicial Review Bill comes before the Parliament in March. It is a technical problem associated with the notice paper. With the other amendments we refer to certain sections in the Act rather than the whole Act. I cannot guarantee that point about judicial review, but that is the advice I have at this stage.

Mr Littleproud: I am a boy scout. I am always prepared.

Mr BURNS: Be prepared. The Government will move some amendments that omit the word "Act" and insert the word "section" so that the board can implement the Bill in stages. For example, it can implement this section and that section instead of the whole Bill if it does not want to do it at that time. The amendments are only technical. I thank honourable members for their support. I am sorry that I cannot answer all of the questions properly today. As members can hear, my voice has really gone. If I do try to answer all of the questions, the last ones will not get answered. I thank all honourable members for their support.

Motion agreed to.

Committee

Hon. T. J. Burns (Lytton—Deputy Premier, Minister for Housing and Local Government) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Mr BURNS (3.23 p.m.): I move the following amendment—

"At page 2, omit lines 8 and 9 and insert—

'Commencement

2.(1) Part 1 (other than sections 1 and 2), Part 2, Division 1 of Part 7 and section 115 commence on 1 January 1992.

(2) The remaining provisions of this Act (other than sections 1 and 2) commence on a day to be fixed by proclamation.' "

These changes are necessary to allow time for the physical activities to take place necessary to set up and put in place the means to be able to effectively introduce the Act. It allows the general manager time to introduce it by section, instead of trying to rush it all through in one go.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 24, as read, agreed to.

Clause 25—

Mr BURNS (3.25 p.m.): I move the following amendment—

"At page 15, line 10, omit—

'Act'

and insert—

'section'."

Amendment agreed to.

Clause 25, as amended, agreed to.

Clause 26—

Mr BURNS (3.26 p.m.): I move the following amendment—

"At page 15, line 25, omit—

'Act'

and insert—

'section'."

Amendment agreed to.

Clause 26, as amended, agreed to.

Clauses 27 to 115, as read, agreed to.

Schedule—

Mr BURNS (3.27 p.m.): I move the following amendment—

"At page 56, omit lines 14 to 22."

Amendment agreed to.

Mr BURNS: I move the following further amendments—

"At page 56, line 24, omit—

'Act'

and insert—

'section' ";

"At page 56, line 28, omit—

'Act'

and insert—

'section' ";

"At page 57, line 5, omit 'Act' last occurring and insert—

'section' ";

"At page 57, line 10, omit 'Act' first occurring and insert—

'section'."

Amendments agreed to.

Schedule, as amended, agreed to.

Bill reported, with amendments.

Third Reading

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

FAMILY SECURITY FRIENDLY SOCIETY (DISTRIBUTION OF MONEYS) BILL

Second Reading

Debate resumed from 26 November (see p. 3193).

Mr GILMORE (Tablelands) (3.30 p.m.): I rise in this debate to indicate that the Opposition supports this legislation, although it is the type of legislation that all

honourable members regret having to have before the House. However, it is necessary because of the situations that arise from time to time. As the Minister pointed out in his second-reading speech, years ago legislation was put on the statute books to cover a certain set of circumstances. I have consulted fairly widely on the provisions of this legislation and I am satisfied that it is company-specific and that there are no hooks in it that would apply to other companies, other friendly societies or non-banking financial institutions.

However, the Bill contains some provisions that all members of the Opposition have difficulty accepting, and the Minister has indicated to me that he is concerned about a particular area. Under the circumstances, I indicate that members of the Opposition agree with this legislation. Having said that, I should also add that we would hope that it will not be used as a precedent and that the clauses contained in the Bill, particularly in respect of judicial review, will not become commonplace. In the future, if similar circumstances arise, the Opposition probably would have no objection to these provisions being used, but this type of legislation should not become common practice. With those remarks, I reiterate the Opposition's support for the legislation. The Opposition will support the Bill.

Mr SANTORO (Merthyr) (3.32 p.m.): With the same sentiments in mind as those expressed by the member for Tablelands, I rise to make a very brief contribution to this debate. The Liberal Party shares the reservations implied by the speaker who preceded me in this debate. I suppose that one could go on to extol the virtues of friendly societies, as did my colleague the honourable member for South Coast in a speech to this House on 31 May. However, instead, I simply indicate that members of the Liberal Party recognise the necessity for this legislation as outlined in the Minister's second-reading speech. Therefore, the Liberal Party is pleased to indicate its support for the Bill.

Hon. G. R. MILLINER (Everton—Minister for Justice and Corrective Services) (3.33 p.m.), in reply: I thank the honourable member for Tablelands and the honourable member for Merthyr for their support for this legislation. It is a matter of regret that the Government has to introduce this type of legislation and I would much prefer not to do so. Unfortunately, there are people in the community who are not prepared to play the game and do the right thing by other people. I feel very, very sorry for the contributors to this friendly society because they are the ones who will suffer ultimately. Many of them are in a position in which they cannot really afford to lose the sort of money that is involved. I am sure I speak for all honourable members, including the member for Tablelands and the member for Merthyr, when I say that my heart goes out to those people who are in this unfortunate position.

I thank honourable members for their support in recognising the difficulties created by the particular people who were running this organisation. These people are very smart and very cunning, and that is why the Government had to include in this legislation certain provisions designed to overcome the obvious disruption that those people would have caused if those provisions had not been contained in the Bill. I reiterate my thanks to the honourable members who participated in the debate and express the hope that this type of legislation will not be required again.

Motion agreed to.

Committee

Clauses 1 to 27, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Second Reading

Debate resumed from 26 November (see p. 3126).

Mr LINGARD (Fassifern) (3.35 p.m.): This Bill proposes minor amendments to be made to 62 Acts of Parliament primarily designed to amend or correct minor drafting errors in names or spelling. While the Opposition has no major problems with this legislation and will be supporting it, I wish to make a few observations. It is noted that the previous practice in relation to statute law Bills was not to include amendments introducing policy changes or issues of substance. As the Minister indicated in his second-reading speech, they were primarily of a house-keeping nature. However, this Bill provides for the widening of that scope because the Government has decided that this practice is too restrictive. This will allow what are termed minor policy amendments to be included in statute law Bills provided that they are concise, of a minor nature and not controversial. Whereas the thrust behind such change is evident, perhaps the Minister could explain in more detail his definition of "minor policy amendments".

The House should be assured that this legislation will in no way provide scope for passing legislation to give effect to "minor policy amendments" without full consideration being given to the changes involved. As all honourable members would know, changes that are perceived by some to be minor amendments may be considered to be quite significant by others. It is noted that the Bill provides for amendments of a minor policy nature that are outlined in Schedule 1. The process of setting out schedules and numbering each amendment should make amendment of each Act easy to digest. The continuing review of the statute book is noted and is welcomed, particularly in respect of the numbering of unnumbered provisions which will make it more user-friendly. The same comment applies to the Acts Interpretation Act because amendments are aimed at making that legislation more user-friendly, and this includes the rewriting of provisions in what is described as plain English.

The work on establishing a database of Queensland legislation is also welcomed. The Bill also provides retrospective operation of proposed section 10.10 of the Workers' Compensation Act 1990. This will remove any doubt that compensation payable under the repealed Workers' Compensation Act 1916 can be recovered in cases in which an injured worker has been awarded damages for the same injury. However, once again, the Opposition would appreciate it if the Minister could go into more detail in explaining the retrospectivity of this Bill and what effect it will have on the Workers' Compensation Act. The Opposition believes that it is to stop double dipping. However, the Opposition asks that the Minister give an explanation of what he believes is the retrospectivity of this section 10.10.

Mr SANTORO (Merthyr) (3.38 p.m.): The Liberal Party is pleased to advise the House and the Minister of its support for the Bill. The Statute Law (Miscellaneous Provisions) Bill effects alterations to some 70 pieces of legislation of the Queensland Parliament. Schedule 1 refers to minor amendments, but that is not to say that the implication of such amendments is necessarily minor. I have to be honest and say that since assuming responsibility in this area of legislation, I have taken the liberty of consulting at length in relation to the provisions of this Bill so that I am able to make some

contribution that is informed, at least, from an outsider's point of view. For instance, the proposed new section 25 (1) of the Acts Interpretation Act provides—

"If an Act authorises or requires a person or body to appoint a person to an office—

(a) the power may be exercised from time to time as occasion requires; and

(b) the power includes -

(i) power to remove or suspend at any time a person appointed to the office; and

(ii) power to appoint another person to act in the office if a person appointed to the office is removed or suspended; and

(iii) power to reinstate or appoint a person removed or suspended; and

(iv) power to appoint a person to act in the office if it is vacant (whether or not the office has ever been filled); and

(v) power to appoint a person to act in the office if the person appointed to the office is absent or is unable to discharge functions of the office (whether because of illness or otherwise)."

Section 25 (2) states—

"The power to remove or suspend a person under subsection (1)(b) may be exercised even if the Act under which the person was appointed provides that the holder of the office to which the person was appointed is to hold office for a specified period."

I have been advised that this last provision should be of concern to all Queenslanders as it effectively legislates to institutionalise politicisation of all Government appointments. Because of the rapid approach of Christmas and other events that will occur later on today, I certainly will not launch myself into any great dissertations of the concepts of politicisation of Government appointments.

However, it would seem to me that under this provision any person appointed to any office by the Government, whether or not for a specified period, will henceforth hold office entirely at the whim of the Government. No doubt this will operate as a powerful disincentive to any responsible individual to dare to offer an opinion which differs from that of his Minister. This is not conducive to an independent, responsible public service, and can only be characterised as an attempt to institutionalise yes-men. Fortunately, however, the bulk of this Bill is relatively innocuous. Whilst no harm will flow from some of its provisions, neither necessarily will any benefit flow. For instance, I refer to the proposed new section 35BA of the Acts Interpretation Act, which deals with the naming of certain statutory instruments. It states—

"If a statutory instrument was, immediately before the commencement of this section, called by a name indicating the type of instrument in the plural, the instrument may be called by a name indicating the type of instrument in the singular."

No doubt tens of thousands of people throughout this State will be stunned by the sheer brilliance of this magnificent and dynamic demonstration of the Goss Government's commitment to legislative reform. Another fairly strange, though innocuous provision is the proposed new section 35BB amending the same Act, which states—

"If a provision of a statutory instrument was, immediately before the commencement of this section, called a regulation, subregulation, sub-subregulation, rule, subrule, by-law, sub-by-law, clause, subclause, sub-subclause, paragraph, subparagraph, sub-subparagraph, item, subitem, or any other name, the provision may be called—

(a) if the provision is a provision unit equivalent to a section of an act—a section; or

(b) if the provision is a provision unit equivalent to a subsection of an act—a subsection; or

(c) if the provision is a provision unit equivalent to a paragraph of an act—a paragraph; or

(d) if the provision is a provision unit equivalent to a subparagraph of an act—a subparagraph; or

(e) if the provision is a provision unit equivalent to a sub-subparagraph of an act—a sub-subparagraph."

Examples given in the Bill are that regulation 2 may now be called section 2 and by-law 5 (2) (a) may now be called section 5 (2) (a). I have been advised that this particular provision has great potential to cause massive confusion as there are many Acts under which rule, regulation, and by-law coexist with the Act. The effect of this is that when a reference is made to section 2, clarification will be needed to ascertain if what is being referred to is section 2 of the Act or the rule, or of the regulation, or of the by-law. Perhaps the Minister may wish to inform the House how a degree of confusion can be avoided. However, by and large the bulk of this Bill is benign. It may be that there will be unforeseen consequences which stem from provisions such as the proposed new section 49 under the Acts Interpretation Act, which states—

"(1) If a form is prescribed by or under an Act or statutory rule, strict compliance with the form is not necessary but substantial compliance is sufficient.

(2) If a form prescribed by an Act or a statutory rule requires—

(a) the form to be completed in a specified way; or

(b) specified information or documents to be included in, attached to or given with the form; or

(c) the form, or information or documents included in, attached to or given with the form, to be verified in a specified way;

the form is not properly completed unless the requirement is complied with."

An interesting problem might arise, for instance, in the case of an objector instituting an appeal under the Local Government Planning and Environment Act. I have been advised that the form for such an appeal is Form 10 and provision is made for it under section 7.1 of that Act. In the case of a deficient objector appeal, there are potentially two different legislative provisions which might regulate the court's power to excuse any non-compliance with the Act. The first is section 7.1A (3) (e), which provides—

"The Court may determine an appeal notwithstanding that certain provisions of this Act have not been complied with, where the Court is satisfied that the non-compliance has not adversely affected the awareness of the public of the existence and nature of the application nor restricted the opportunity of the public to exercise the rights conferred by the relevant provisions."

That provision has no requirement for substantial compliance and it is envisaged that a defective objective appeal could be excused and allowed to proceed under the terms of that provision. If, however, the proposed section 49 of the Acts Interpretation Act prevailed, a test of substantial compliance would be applied, and it may be that objectors might miss out if they were unable to show substantial compliance. Perhaps in his reply the Minister may wish to provide some answers to these queries which have been raised with me by my advisers. Obviously, the lawyers and the people who have advised me do

have some concerns about this Bill, but in the main the Liberal Party is quite happy to lend it its support.

Hon. T. M. MACKENROTH (Chatsworth—Minister for Police and Emergency Services) (3.45 p.m.), in reply: I thank both the National Party and the Liberal Party for their support for this piece of legislation. I guess one of the things that any Leader of the House in any Parliament dreads with a miscellaneous provisions Bill is being asked a question. When dealing with more than 50 pieces of legislation from 18 different portfolios, knowing the answers is sometimes even beyond me. The bringing of minor policy matters into this miscellaneous provisions Bill will ensure that those minor policies are looked at by the Government and by the Parliamentary Counsel to ensure that they are non-controversial. That is why we have changed the format of the legislation to make it very easy for anyone to read and readily pick up what it is affecting and the reasons it is affecting that legislation, so it is really not possible for a Government to use this type of instrument to put something controversial through without people being aware of it. One thing is certain. If any Government attempted to put through a controversial minor amendment in a miscellaneous provisions Bill, it would probably be the last one the Opposition would ever allow through without great debate. The Government is well aware that it cannot use an instrument such as this to put that legislation through. We have ensured that the Bill is set out so that it is a lot easier for people to read and understand.

The honourable member for Fassifern referred to workers compensation. My understanding is that there was some doubt as to the ability of the Workers Compensation Board to recoup money it had paid. The honourable member referred, I think, to double dipping. Perhaps that could be the case. I will ensure that the Minister for Employment, Training and Industrial Relations responds to the honourable member's inquiry and explains it in greater detail. I thank the honourable member for Merthyr for his comments. He raised a matter in relation to regulations. As I understand it, in any reference to regulations using new titles, we will ensure that people know whether in fact it is from the Act or the regulations. That will be set out specifically. I hope that answers the honourable member's query. The honourable member raised a couple of other matters. I will have a look at them and get the relevant Ministers to respond to him to ensure that he gets the full answers that he deserves.

Motion agreed to.

Committee

Hon. T. M. Mackenroth (Chatsworth—Minister for Police and Emergency Services) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Mr MACKENROTH (3.49 p.m.): I have three amendments to move to this clause and two of the schedules to ensure the correct operation of legislation that passed through this Parliament recently—the Justices of the Peace and Commissioners for Declarations Act 1991. I have circulated the amendments and the Explanatory Note which, I believe, clearly outlines the reasons for the amendments. I shall read the Explanatory Note so that members fully understand what the amendments are about. It states—

"Explanatory note

Commencement

Amendment (1) acknowledges the commencement provisions provided for in Schedules 3 and 4.

Clerks

Amendment (2) ensures that clerks in court offices who were performing the functions of justices of the peace before the commencement of the Act will continue to be available to perform all of those duties for a limited period of time. The amendment also ensures equal standing among all justices of the peace whose appointments are confirmed during the transition period of the Act.

Amendment (3) is consequential on amendment (2) and ensures that actions of court clerks are unaffected by the designation used by them before the commencement of the relevant amendments."

I move the following amendment—

"At page 2, line 9, omit—

'Schedules 1 and 2'

and insert—

'Schedules 1, 2, 3 and 4'."

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 6, as read, agreed to.

Schedule 1—

Mr MACKENROTH (3.51 p.m.): I move the following amendment—

"At page 43, omit lines 11 to 18 and insert—

'(4) A person—

(a) who is mentioned in subsection (2) or (3); and

(b) who was, on 31 October 1991, a justice of the peace under section 9(vi) of the repealed Act;

is, without further appointment and despite subsections (2) and (3), a justice of the peace (magistrates court)—

(c) while the person continues to be employed as an officer of the public service in an office of the Supreme Court, a District Court or a Magistrates Court; but

(d) only until 1 November 1996.' "

Amendment agreed to.

Schedule 1, as amended, agreed to.

Schedules 2 and 3, as read, agreed to.

Schedule 4—

Mr MACKENROTH (3.54 p.m.): I move the following amendment—

"At page 112, omit lines 14 to 19 and insert—

'2. The validity of an act done, before the date of assent of this Act, by a person mentioned in section 3.04(4) of the Justices of the Peace and Commissioners for Declarations Act 1991 as amended by this Act, in performing a function of the office of commissioner of declarations or justice of the peace of any category is unaffected by whether the person used the designation commissioner of declarations or justice of the peace of any category.' "

Amendment agreed to.

Schedule 4, as amended, agreed to.

Schedule 5, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

STAMP AMENDMENT BILL

Second Reading

Debate resumed from 26 November (see p. 3128).

Mr STONEMAN (Burdekin) (3.56 p.m.): The Stamp Amendment Bill, which the Opposition supports, amends the Stamp Act to accommodate a number of changes in commercial practice. The Treasurer has outlined that in his second-reading speech. I would like to comment briefly on three of the provisions in the Bill—the securities loan scheme exemption, the expanded self-assessment provisions and the new appeals procedure. Section 19 of the Bill exempts the transfer of marketable securities effected under the Australian Stock Exchange's securities lending scheme. Honourable members will be aware that the stock exchange is in the process of introducing a five-day settlement period for securities traded under the FAST—flexible accelerated security transfer—scheme. The exchange believed that some of the transactions made during the scheme's first few months would collapse. It would, after all, take the dealers and their clients some time to become accustomed to the new arrangements.

The exchange has set up a securities lending scheme, in conjunction with Westpac, which will loan securities to dealers to enable them to complete their settlements on schedule. Let us assume, for example, that a broker sold a parcel of MIM shares on behalf of an investor, who then failed to deliver the share certificates to him within the five-day period. The securities lending scheme would loan the broker an equivalent parcel of MIM shares to enable the settlement to take place on time. The broker would repay the scheme with the investor's shares when they finally arrived. The scheme would clearly be unfeasible if the Government insisted on levying stamp duty on the loan transactions, so I am pleased to see that it has worked with the Australian Stock Exchange to maximise its chances of success. Section 5 of the Bill enables approved solicitors' firms to self-assess their stamp duty obligations. Section 13(A) of the Stamp Act empowers the Commissioner for Stamp Duties to approve certain persons to pay stamp duty on a periodic basis. The Act imposes harsh penalties on approved bodies which submit misleading or incorrect returns. At this time, a wide range of financial sector organisations, such as the banks, are authorised to pay stamp duty by return. Section 5 extends the return system to cover unincorporated solicitors' firms who would, as a result, be able to pay the stamp duty on their conveyancing activities periodically rather than on an instrument by instrument basis.

Section 7 of the Bill amends the Act's appeal provisions to enable individuals who are dissatisfied with duty assessments to object to the commissioner. It does not remove the existing right of appeal to the Supreme Court. The section brings the Stamp Act into line with the Payroll Tax Act, and I look forward to the Government introducing a similar amendment to the Land Tax Act in the near future. I turn to the first principal place of residence exemption, which the Government unfortunately has not seen fit to amend in the Bill. First principal places of residence whose values are less than $80,000 are exempt

from stamp duty. The exemption level has not been altered since 1989, before the National Party left office. The Government has frequently restated its promise not to increase taxes. Evidently, the promise does not cover increases in taxation via bracket creep.

Last year in this House, I urged the Government to abolish stamp duty on securities transactions. I said at the time that Australia had one of the highest levels of stamp duty on transactions in the world—0.6 per cent compared to 0.5 per cent in the United Kingdom. Canada, New Zealand and the United States do not impose stamp duty on securities transactions at all. I said that the high stamp duty rate had two effects on the Australian financial market. It drives Australian share transactions overseas, reducing the liquidity of the Australian market, and it discourages trading and new listings on the exchange, which again reduces the market's efficiency and liquidity. I still believe that the Government should discontinue the duty, which raises only about $7m a year. I am advised that next year the British Government will abolish its duty on securities transactions. It would, as a result, cost $6,000 more to execute a $1m share transaction in Australia than in Britain, where Australian shares are widely traded. The outcome is likely to be a dramatic reduction in the turn-over on the Australian market.

In response to the British decision, the New South Wales Government announced that it intended to start phasing out its stamp duty on securities transactions. In January, the Australian Stock Exchange met with the Queensland Government to try to persuade it to come to a decision. In February, the Treasurer said that the Government was considering the matter. We have not heard anything from the Treasurer since on that matter. The State Government claims that it wants to develop the State's financial sector, and I applaud that. I believe that it is reasonable to stop talking and make a start by following the New South Wales Government's example and abolishing the duty on securities transactions. The Opposition will not be opposing the Bill. We see its provisions as being a necessary series of mechanical adjustments. Therefore, the Opposition supports the Bill.

Dr WATSON (Moggill—Deputy Leader of the Liberal Party) (4.02 p.m.): The Liberal Party also supports the Stamp Amendment Bill. On my reading of the Bill, it seems to be basically a series of technical amendments, some of which are very good for business and will save a considerable amount of stamp duty on certain transactions. Overall, this is a technical amendment containing no significant policy changes, and we support it.

Hon. K. E. De LACY (Cairns—Treasurer) (4.03 p.m.), in reply: I thank honourable members for their contributions to the debate and their support for the Bill. I will comment on the two points raised by the Opposition Treasury spokesman, the first being the principal place of residence exemption at $80,000. It is true that that amount has not been increased. It has not really been an issue. In the past two years, there has not been a great deal of movement in house prices. In fact, if there has been any movement at all, it would be in the other direction. Therefore, I do not think that in the past two years bracket creep has been an issue. In respect of stamp duty on securities transactions—I did have some discussions with the Premier and Treasurer of New South Wales during the last meeting of Premiers. New South Wales is having a bit of trouble in meeting its commitment to abolish that stamp duty. We really cannot move in isolation from New South Wales and Victoria, because most of the stock exchange transactions take place in those two States. Queensland tried to move once but found that it could not. We are really in their hands. Mr Greiner expressed his appreciation for our support on this issue. When those two States find themselves in a position to move, we will also be prepared to move. In conclusion, I thank the two members who contributed to the debate and other members of the House for their support.

Motion agreed to.

Committee

Clauses 1 to 20, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

JUDICIAL REVIEW BILL

Second Reading

Debate resumed from 26 November (see p. 3138).

Mr LITTLEPROUD (Condamine) (4.06 p.m.): I rise to continue the debate on the Judicial Review Bill and straightaway acknowledge that the National Party supports the legislation. We acknowledge that it is all about accountability. We acknowledge that there will be a cost involved in terms of time of officers of public administration and also a monetary cost. Nevertheless, we support the Bill. We are mindful also that, when the Minister introduces further legislation relating to the Freedom of Information Bill, the costs may blow out further. However, we support the notion that there should be accountability in public administration and we want the highest standards of public administration in Queensland. We realise that the legislation is necessary. We acknowledge that it impacts on public administration in Queensland, the Government and statutory authorities. In essence, it is all about people being given a written explanation for decisions made by those public bodies. In his second-reading speech, the Minister pointed out succinctly the requirements of the written explanation when he stated—

> "The written statement must—
>
> (i) set out the findings on material questions of fact;
>
> (ii) refer to the evidence or other material on which the findings were based; and
>
> (iii) give reasons for the decision."

In my experience, most people are quite willing to accept decisions handed down by public authorities, more so if a logical explanation is given. Very often that explanation may be delivered in an oral form, but people will accept it, especially if they can see that their own point of view and their own position was given some consideration. It stands to reason that, if those explanations are contained in the written statement, the people will be very happy with the decisions handed down. However, the Bill makes provision for a judicial review whereby people can appeal to the Supreme Court for a review of that decision. To the National Party, that process seems to be quite in order. One of the better points of the legislation is that a master of the Supreme Court or one of the Supreme Court judges can determine the complexity of the matter in relation to which a review is sought and make a determination as to whether the application should be heard by just one judge or a Full Bench of the Supreme Court. I think that is a good aspect of the Bill.

In carrying out a review at a judicial level, the constraints are that the Supreme Court may make any of the following orders—and I quote from the Minister's second-reading speech notes—

> "(i) set aside the decision;
>
> (ii) refer the matter back to the decision-maker for further consideration;

(iii) declare the rights of the parties;

(iv) direct any of the parties to do, or refrain from doing any act in relation to the particular matter."

I think that, with those sorts of guidelines, things will be judged on matters of law. They will make sure that people carry out their administration with regard to the statutes under which they operate.

This legislation is part of the Fitzgerald reform process. Back in 1988, I was part of the Cabinet that took the decision to set up the Fitzgerald inquiry. There was ample evidence to prove that improper conduct was going on in public administration in various places. I fully supported the call for a return to full accountability and a higher level of integrity of people in public places. This piece of legislation can assist that process. It can assist if people's hearts are in it. If the will of the people is not there, it is possible for justifications to be constructed to hide, I suppose, prejudice, discrimination and improper action. The legislation can go only so far. The National Party supports this Bill and then can only hope that people do have the right attitude towards public administration to improve public accountability and confidence in public accountability.

I have a grave fear and expect to be very disappointed, in fact, that some of the actions that have taken place in the name of the Fitzgerald process as improving accountability have been nothing more than perhaps clever pretences of respectability but in fact are shameful abuses of the process, and have been carried out for improper reasons. During the two years of the Labor Government, it has been my experience that it has attempted to develop the perception of respectability and a perception out in the community that it is fully accountable. However, it is my contention that what you see is not what you get. In the last couple of days in this House, we have dealt with legislation and referred to the sorts of things that are going on whereby a very intricate process of public administration has been put in place. In spite of that, there are very strong suspicions still in the mind of the public that some of the things that are going on are not quite what they seem to be. In fact, they are a bit of a sham. The public is still suspicious of improper action by people in high places. There is public anger over what people perceive as being some inconsistencies in the actions of people in high places. I would have to say that when the public becomes aware of a report that was handed down today—the report on allegations of misuse of parliamentary entitlements—once again it will be further angered. When I started to read the report, I was reminded of the debate on the Anti-Discrimination Bill that took place in this House on Tuesday of this week. During that debate, I quoted Mr Solzhenitsyn. When the Attorney-General replied at the second-reading stage, he retorted with the following quote from Mr Solzhenitsyn—

"In our country the lie has become not just a moral category but a pillar of the State."

Then Mr Wells went on to say in his own words—

"What was that lie? It was the lie that we saw evidenced in practice here today."

I repeat that Mr Wells added to the quote from Solzhenitsyn—

"What was that lie? It was the lie that we saw evidenced in practice here today."

In adopting those words of Mr Wells, I refer to what happened in this House today. I can imagine that people out in the community will say, "How true!" It is with a pretty heavy heart and great disappointment that I have to make these comments. In 1988, when we started a painful process of improving public accountability, I had great hopes that we would be starting to put things in the right place. However, my movements throughout the State have done nothing but make me believe that people are still angry and still suspicious that things are not being done in the way they should be done. They feel there

is a pretence there. This piece of legislation, if handled properly—and in the minds of people used properly—is something well worth while. The public still does not have much confidence in public administration. Nevertheless, we in the Opposition support this Bill.

Mr SANTORO (Merthyr) (4.13 p.m.): Members of the Liberal Party are pleased to support the Judicial Review Bill. We do so because the concepts that it reflects are consistent with the fundamental principles for which we stand. It is an application of the doctrine of the rule of law which requires that all persons be subject to and equal before the law. This includes the Executive arm of Government. This Bill will facilitate on a practical level the application of that doctrine to the Executive arm of Government in this State. It will do this by allowing citizens to require a public official to give reasons for a decision that has been made affecting that citizen. This will enable the citizen to understand the basis of a decision that affects him or her and to ensure that the law has been properly applied. The Liberal Party believes that, in an era when the public sector is intruding further and further into the rights and liberties of individuals, this is of fundamental importance. Unlike the ALP, the Liberal Party has always been a strong supporter of small businesses. It is always ready to listen to their concerns, for they and free enterprise are the economic backbone of our nation. In supporting this Bill, we believe that it will help small business. Small business will be able to utilise the Bill's provisions to help protect itself against wrongful or arbitrary intrusions by Government. For example, the proprietors of small businesses which need a Government licence to carry on their business can use its provisions to protect themselves, their families and their investment from a wrongful refusal to renew that licence.

The Liberal Party is the party of civil liberties. The principles that bind Liberals are founded upon the preservation and furtherance of the rights of the individual. Of the parties represented in this House, it is our party that was founded on those principles. One of the many flaws in the ALP is that it is always too ready to legislate to regulate the activities of citizens. It is all too willing to sacrifice the liberties of the individual to the interests of the State. It is the ultimate meddler. Inherent in that disposition is a fundamental threat to the civil liberties of the individual.The Liberal Party has always been and always will be ready to oppose that threat. The interests of our State and nation lie in promoting the civil liberties of individuals.

The Liberal Party believes that the establishment, by Part 4 of the Bill, of an entitlement to reasons is important in protecting the citizen against Government exercising its powers capriciously without regard to natural justice or without other due regard to legal propriety. The Liberal Party also believes that, by simplifying the procedure whereby citizens can avail themselves of the remedies that the common law has long allowed, this Bill will assist citizens in asserting and protecting their rights and liberties. Thus, as the true supporters of the cause of civil liberties in this House, we support this Bill.

The Liberal Party supports this Bill also because it believes that it will assist in promoting efficiency in public administration and public accountability. As the history of this State shows, the Liberal Party has a long record of achieving high standards of competence and efficiency in the discharge of its ministerial duties and in the running of the various departments of this State. Thus, for example, in the years when members of this party occupied the Treasury portfolio, the finances of this State were soundly and efficiently administered. That is not a claim that members of the party opposite can make in relation to the shameful and wanton way in which their party has conducted itself in public office in Victoria and in other States. Queenslanders are aware that they are suffering the economic consequences of ALP mismanagement federally and in the other States. The dedication of the Liberal Party to public accountability is amply demonstrated by its stand in 1983 on the Public Accounts Committee. In this regard, members of the

House should note that Mr Fitzgerald recommended in his report that EARC should undertake a review of the Public Accounts Committee Act 1988. He also recommended at recommendation A.11. (g) a review of the effectiveness of internal audit services within Government departments and instrumentalities.

The Liberal Party supports this Bill because it believes that the creation of an entitlement to reasons will improve the quality of public decision-making and enhance the accountability of Government to the people, and it is in accordance with the wishes of Fitzgerald. Obviously, it will do so in cases in which the decision-maker knows that an aggrieved person will definitely ask for reasons and subsequent judicial review. However, in the overwhelming majority of decisions there will be no request made for reasons, let alone an application for judicial review. We believe that this Bill will nevertheless improve the quality of those decisions and increase accountability because decision-makers will have their knowledge and understanding of the correct procedure and substantive rules increased by the operation of the provisions of this Bill over a period. Further, the mere possibility of there being a request for reasons and the existence of a simplified procedure for challenge to improper decision-making will act as a caution to decision-makers, serving to ensure that they act properly.

The Bill has its genesis in the Fitzgerald report. At page 129 of his report, Mr Fitzgerald said—

> "These deficiencies in systems for review of administrative action have been tackled in other common law jurisdictions by the adoption of a general system of administrative review. There is wide agreement that this system has improved the quality of decision-making in those jurisdictions. A similar system could be adopted in this State under which:
>
> the existing complicated judicial remedies are replaced by simple machinery for the making of applications for judicial review, and an array of statutorily based remedial powers;
>
> the rights of an individual to bring an application are broadened;
>
> there is a right to obtain reasons for a decision, subject only to limited exceptions; and
>
> decisions are reviewed on their merits by an external independent review body."

Recommendation A.11., which is found at page 371 of Mr Fitzgerald's report, was that steps should be taken—

> ". . . for electoral and administrative reform otherwise identified in or arising out of this report, including:
>
> (a) the preparation and enactment of legislation on:
>
> (i) freedom of information
>
> (ii) administrative appeals
>
> (iii) judicial review of administrative decisions."

In expressing the support of the Liberal Party for this Bill, I note the vital contribution of EARC in preparing it. EARC did the extensive consultation work involved in the preparing a draft Bill, receiving valuable contributions from many parties, including learned submissions from the Bar Association of Queensland and the Queensland Law Society. I commend those bodies for having taken the time and effort to contribute to the legislative process by so doing. The Bill presently before the House clearly owes a lot to the draft Bill found in Appendix A to the EARC report on judicial review of administrative decisions and actions dated December 1990. EARC has broken the back of the work to be done on it.

The contribution of the Government has been to allow a delay of one year to occur since the report was signed on behalf of EARC in December 1990. I suggest to the Minister and the Government and this is not good enough.

In considering the operation of the Bill, the Liberal Party believes that it is important to consider its costs and delay implications. So far as the Bill introduces a simplification of existing legal procedures, the Liberal Party believes that it will assist in reducing the legal costs incurred by citizens in obtaining relief against decisions that are said to be tainted with legal impropriety. I also note the importance of clauses 49 and 50 of the Bill insofar as specific provision is made as to the nature of the costs orders that might be made by the Supreme Court in applications arising under the Bill. In particular, I note the provisions that empower the Supreme Court to order that an applicant be indemnified in respect of the costs properly incurred in a review application. The Liberal Party believes that the way in which the costs are dealt with on such applications may prove to be of considerable practical significance in determining the effectiveness or otherwise of this legislation. The Liberal Party believes that it is important that the arms of Government do not use their superior financial position vis-a-vis a citizen to impose a costs risk or burden upon citizens in a way that unduly inhibits the willingness or capacity of citizens to protect or assert their rights. Citizens who are seeking redress will frequently also be promoting the public interest, and it is important that they not be unjustly impeded by the costs associated with a review application. While there are costs that will be incurred by the State in relation to fulfilling the obligations that arise out of the provisions of this Bill, I believe that the benefits that have been referred to earlier in this contribution will justify that burden. The capacity for the provisions of the Bill to delay the proper processes of Government is limited by the presence of time limits within the Bill which require the applicant to take steps within an identified time-frame.

The operation of the Bill in relation to decisions subject to review is one area that may require attention to ensure that the Bill operates as intended in the definition in clause 4 of the expression "decision to which this Act applies". The form of the definition that has been used uses the concepts enactment and source of funding. I believe that there is a lot to be said for the view expressed by the Queensland Law Society in its submission to EARC that the relevant wording should include a formulation along the lines of incorporating words that cover decisions of administrative character otherwise operating in law to affect the rights, interests, liberties or legitimate expectations of any person. Although the second limb of the definition may pick up part of that ground, there may still be an area outside of this that the definition ought to expressly cover. If the definition were appropriately varied, the sound judgment of the Supreme Court could then apply the provision with the flexibility that actual practice and justice require. If the Government is not willing to amend the Bill to effect that change, the operation of the Bill when passed should be monitored to ascertain whether in practice a need arises for the relevant definition to be corrected.

The Liberal Party recognises that the Bill is only part of the legislative program required by Mr Fitzgerald's recommendations on administrative law reform. Legislation to establish a body with a role such as that of the Commonwealth Administrative Appeals Tribunal and to establish freedom of information was recommended by Mr Fitzgerald and, in the view of Liberal Party members, is desirable. The Liberal Party agrees with the intention of the Government to introduce into the House such legislation and to take all steps within its power to expedite that happening. When the Bill is before us and subject to the specific provisions contained in this Bill, the Liberal Party will be only too pleased to support it.

Mr FOLEY (Yeronga) (4.24 p.m.): This is indeed a great day for Queensland and a great day for the Fitzgerald reform process. Clause 33 of the Bill imposes a duty on

decision-makers to give reasons. It effectively means that the old days of "Don't you worry about that" are gone. It means that the ordinary citizen is entitled to require of Government decision-makers that they give reasons for decisions that affect him or her. It means that an arrogant, overbearing administration must be accountable by force of law to the citizen who is affected adversely by a decision. In addition to that, the Bill makes provision for simplification of access by citizens to the court. It means that, instead of having to rely upon the tangled thicket of common law in the prerogative writs, the citizen may make a simple statutory application and come before the court. It means that the citizen can have his or her case determined by a single judge rather than having to obtain an order nisi before the master of the Supreme Court and go before the Full Court of the Supreme Court with all of its attendant costs and delays.

The Bill is another example of the reports of the Parliamentary Committee for Electoral and Administrative Review being translated into legislation in this House. In particular, the parliamentary committee disagreed with EARC on one point, namely, the position of the jurisdiction of the Supreme Court with respect to prerogative writs. In clause 19 of EARC's draft Bill, the jurisdiction of the Supreme Court to issue prerogative writs was abolished. On that point, the Parliamentary Committee for Electoral and Administrative Review unanimously took issue with EARC. I am very pleased to see that in this Bill the Government has seen the wisdom of the concern of the parliamentary committee in that respect and has specifically provided in clause 41(2) that the court continue to have jurisdiction of that kind to grant the relief. The legislation before the House does not, however, continue the forms of the prerogative writs, complicated as they have become, so that the citizen will not seek from the court the issue of a writ of mandamus, prohibition or certiorari. Instead, the court has power to grant the relief or remedy by making an order, the relief or remedy under which is in the nature of, and to the same effect as, the relief or remedy that could have been granted by way of a prerogative writ. That provision retains the dynamism of the common law. That is very important, because this is all about the power of the courts to review the decisions of the Executive to ensure that, at the end of the day, the Crown, like any other citizen, must obey the rule of law. Be ye ever so high, the law is above you. This Bill ensures that citizens can approach the court and obtain effective relief to ensure that the Government of the day making an administrative decision is not above the law and that the courts can provide relief where the Government acts unlawfully. In making a decision, the Government is obliged to follow principles of natural justice and is obliged to act within its power.

The Bill sets forth in law the right of the citizen to ensure that the doctrine of the separation of powers applies in practice in Queensland. It means that the courts have been updated in their powers to control unlawful and unaccountable behaviour on the part of the Executive. Gone forever will be the days when the doctrine of the separation of powers was remote from the knowledge of the leaders of Government in this State. Instead, the Bill brings the powers of the judicature into modern times and ensures that the courts can effectively control unlawful behaviour, whether that unlawful behaviour is the behaviour of Government in the case of administrative decisions or whether it is the behaviour of other bodies involved in the civil and criminal law.

In short, this is part of a process whereby the deep structures of power in this State are being overhauled and made more accountable to the citizens. We have seen, through the Parliamentary Committee for Electoral and Administrative Review, a raft of reforms designed to make this Legislature truly accountable to the people through electoral law reform. We have seen, through this Legislature, reforms to the administration of the State to ensure that the Crown acts properly in its Executive arm, and we have seen today in this Bill reforms to ensure that the courts of our State are properly cloaked with the powers necessary to enable citizens to obtain practical, speedy and cheap relief when

Government acts unlawfully in a way which adversely affects their interests. This is indeed a great day for Queensland. I support the Bill.

Hon. D. M. WELLS (Murrumba—Attorney-General) (4.31 p.m.), in reply: I thank honourable members for their support for the Bill. I note that the Opposition parties are supporting the Bill on the grounds of civil liberties and public accountability—the grounds which, traditionally, we have all come to associate with the National and Liberal Parties. The House is grateful to them for their assistance. I particularly thank the honourable member for Yeronga for his constructive remarks and for his assistance during the consultative phase of the preparation of the Bill.

Motion agreed to.

Committee

Hon. D. M. Wells (Murrumba—Attorney-General) in charge of the Bill.

Clauses 1 to 61, as read, agreed to.

Schedule 1—

Mr WELLS (4.33 p.m.): This is a technical amendment. Clause 100 of the Queensland Building Services Authority Bill provides that minor domestic building disputes, that is disputes involving $5,000 or less, are not subject to judicial review. The clause does not apply when the Queensland Building Tribunal has acted without jurisdiction to hear a dispute, or the Queensland Building Tribunal has breached the rules of natural justice in any proceeding. It is considered appropriate that the Judicial Review Bill should not override this probative clause, because otherwise wealthier parties would be able to frustrate the object of informal resolution of relatively minor building disputes by seeking judicial review. I move the following amendment—

"At page 33, after line 9, insert—

'4. Queensland Building Services Authority Act 1991, section 100'."

Amendment agreed to.

Schedule 1, as amended, agreed to.

Schedules 2 to 5, as read, agreed to.

Bill reported, with an amendment.

Third Reading

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

AUSTRALIAN FINANCIAL INSTITUTIONS COMMISSION BILL

Hon. K. E. De LACY (Cairns—Treasurer) (4.36 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to make provision for a uniform legislative scheme for certain financial institutions and, in particular, to establish the Australian Financial Institutions Commission."

Motion agreed to.

First Reading

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

Second Reading

Hon. K. E. De LACY (Cairns—Treasurer) (4.37 p.m.): I move—

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

At the conference of Premiers and Chief Ministers held in Adelaide on 21 and 22 November, State and Territory heads of Government signed an historic agreement to establish a national scheme for the supervision and regulation of building societies and credit unions. This formal agreement outlines the basic features of the new supervisory scheme and establishes a ministerial council to exercise general oversight of the scheme. Proposals for the scheme have been developed over the past 12 months and follow closely the relevant recommendations of the committee of inquiry into non-bank financial institutions commissioned last year by the Queensland Government.

This Bill and the Financial Institutions (Queensland) Bill—which I will introduce next—constitute a package of national template legislation to give effect to the new supervisory scheme. The Bills have involved input from all State and Territory Governments, and have been developed in close consultation with industry. The legislation represents a concrete example of the States working together to effect reform in an area of serious concern to all jurisdictions. The States and Territories have put aside political differences and are answering the call to provide Australians with a true common market. They have recognised that building societies and credit unions play a vital role in providing alternatives to the banks—by adding competition and providing service. Premiers and Chief Ministers have rejected any suggestion that these institutions should become banks. The objective is to encourage market diversity and competition—not market concentration—combined with a supervisory regime that protects the interests of depositors and members of those institutions and enhances market stability and, therefore, confidence.

The Bill provides for the establishment of a national co-ordination body, the Australian Financial Institutions Commission, or AFIC, which will be responsible for formulation of prudential and other standards and practices to be applied to building societies and credit unions. It is intended that AFIC should at a minimum maintain the overall level of depositor security reflected in the prudential standards and practices incorporated as a schedule to the formal agreement. These standards and practices are based essentially on the Reserve Bank approach to supervision, enhanced by extensive on-site inspections, and include—

a risk-weighted capital adequacy requirement;

a prime liquid assets requirement;

large exposure limitations;

strict control over subsidiaries; and

a range of risk management systems.

This will enhance the prudential standing of the industry and will provide a framework for a stronger and more competitive industry to develop in the future.

AFIC will also supervise and control national industry-funded liquidity support arrangements. AFIC will be directly responsible for the regulation and supervision of special service providers—those industry owned and operated enterprises which provide specialist financial services to member societies. In recognition of the lead role taken by

the Queensland Government in driving this important reform package, AFIC will be located in Brisbane. It will be independent from industry and Government in relation to supervisory matters. Except as expressly provided in the Bill, AFIC will not be subject to direction by or on behalf of the ministerial council or any Government. The ongoing funding of AFIC will be provided by industry. While the ministerial council will approve AFIC's annual budget, AFIC will be obliged to consult with industry before setting its budget and industry levy and must include the results of these consultations in its submission to the ministerial council.

The Financial Institutions (Queensland) Bill—the second half of this legislative package—outlines the functions and powers of the State supervisory authorities and provides for the formation, registration, regulation and supervision of both building societies and credit unions by these authorities. This Bill effectively rationalises the current fragmented administration and regulation of building societies and credit unions. It will replace the diverse arrangements applying in eight different jurisdictions with a single uniform piece of legislation, which will be adopted by all States and Territories and applied to all building societies and credit unions throughout Australia. This legislation will ensure that a building society or credit union, regardless of State of formation, will be able to compete on an equitable basis. Institutions will meet the same high prudential and supervisory demands in every State and Territory. The Bills recognise the essential character of building societies and credit unions which arose out of the market demand for services provided by these institutions. Building societies will be required to maintain half their assets in loans for residential purposes. Further, while the legislation, in principle, considers a mutual, or cooperative ownership and control structure to be the most appropriate, it does accommodate alternative capital and ownership structures. For credit unions, a majority of assets must be held in loans to members and these institutions must be mutually owned and controlled. The Financial Institutions Bill also includes provisions relating to formation and registration; powers; rules; membership; shares, other securities and charges; management; mergers and transfers of engagements; conversions; external administration; special investigations; foreign societies; and associations.

These Bills also provide for an appeals mechanism, for decisions made by AFIC or the State supervisory authority, other than those expressly excluded. Such appeals are in line with current appeals mechanisms in NBFI legislation of other States. Consistent with the general policy that Government should not interfere in the day-to-day operation of the scheme, such appeals will be to an independent tribunal, not to the ministerial council or to individual Ministers as is currently the case under some Acts. To minimise costs, the tribunal will be part time, meeting only as required, with its full costs borne by the parties to the dispute. The new legislative scheme is the result of agreement among the States and Territories alone. It does not transfer the States' sovereignty to the Commonwealth in any way. The bodies to be formed under the legislation, both AFIC and State supervisory authorities, will be created exclusively by the States and Territories. AFIC is not, therefore, a Federal Government organisation. It is instead a mutual body formed by the States, whose role is to determine the standards that will apply uniformly in all States and Territories. The demarcation line between the roles of AFIC and State supervisory authorities is equally clear. AFIC will set the prudential framework, while State supervisory authorities will administer that framework, and will be responsible for the direct supervision of building societies and credit unions. In addition, the State supervisory authorities will be responsible for management of credit union contingency funds. The two bodies are complementary. They are not in competition with each other and will not be duplicating, at unnecessary cost, any functions or responsibilities. In fact, overall cost savings should occur through economies of scale where AFIC provides some services on a single national basis, thereby removing these duplicated costs from the States.

Industry has been consulted extensively during the formulation of proposals and the legislation. Both the building society and credit union industries have been working towards national uniformity for years, and this framework is endorsed and supported strongly by major national industry bodies, including the Queensland associations. This is landmark legislation, both in terms of the political co-operation between States and in creating a common market for these financial institutions. This new legislation has struck the right balance—the right balance between regulation and deregulation, between financial institutions' powers and their corresponding responsibilities, between inflexible prescription and flexible supervision. It will justifiably restore public confidence in both the building society and credit union sectors and increase competition in the provision of financial services to the household sector.

Finally, I would like to publicly acknowledge the outstanding work of the Queensland officials—particularly from my own Treasury Department—who were responsible for chairing the group of officials which worked painstakingly through 40 successive drafts of this legislation prior to the final package ratified by Premiers and Chief Ministers in Adelaide last month. I should also mention the constructive role played by the National and Queensland building society and credit union peak bodies. I commend this Bill to the House.

Debate, on motion of Mr Stephan, adjourned.

FINANCIAL INSTITUTIONS (QUEENSLAND) BILL

Hon. K. E. De LACY (Cairns—Treasurer) (4.45 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to provide for the formation, registration, management and regulation of certain financial institutions, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. K. E. De LACY (Cairns—Treasurer) (4.46 p.m.): I move—

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

The Financial Institutions (Queensland) Bill is the second part of the legislative package to give effect to the scheme for a national supervisory framework for building societies and credit unions endorsed last month in Adelaide at the conference of Premiers and Chief Ministers. The features of this Bill and particularly the scheme were presented in conjunction with the Australian Financial Institutions Commission Bill. Therefore, I will not prevail further on the House's time. I commend this Bill to the House.

Debate, on motion of Mr Stephan, adjourned.

FREEDOM OF INFORMATION BILL

Hon. D. M. WELLS (Murrumba—Attorney-General) (4.47 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to require information concerning documents held by government to be made available to members of the community, to enable members of the community to obtain access to documents held by government and to enable members of the community to ensure that documents held by government concerning their personal affairs are accurate, complete, up-to-date and not misleading, and for related purposes."

Motion agreed to.

Mr SPEAKER: That is the biggest mouthful I have heard for a while.

Mr WELLS: It is a major piece of legislation.

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) (4.48 p.m.): I move—

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

Just a few minutes ago, this House legislated the first element of the administrative law reform package of this State Government, namely, the Judicial Review Bill. It is now my pleasure to introduce our second element—the Freedom of Information Bill. The object of this Bill is to extend as far as possible the right of the community to have access to information held by Queensland Government agencies. Honourable members would be aware that freedom of information legislation was enacted in Australia by the Commonwealth Parliament in 1982 and that most Australian States and Territories—Victoria, New South Wales, South Australia and the Australian Capital Territory—have introduced similar legislation. Freedom of information legislation throughout Australia enshrines and protects three basic principles of a free and democratic Government, namely, openness, accountability and responsibility. The reasons for enactment of freedom of information legislation have been set out in the Bill, and are as follows—

"Parliament recognises that, in a free and democratic society—

(a) the public interest is served by promoting open discussion of public affairs and enhancing government's accountability;

(b) the community should be kept informed of government's operations, including, in particular, the rules and practices followed by government in its dealings with members of the community; and

(c) members of the community should have access to information held by government in relation to their personal affairs and should be given the ways to ensure that information of that kind is accurate, complete, up-to-date and not misleading."

The Bill enables people to have access to documents used by decision-makers and will, in practical terms, produce a higher level of accountability and provide a greater opportunity for the public to participate in policy-making and government itself. Further, I am pleased to state that this Bill goes further than any other freedom of information legislation in Australia because this Bill will give unlimited retrospectivity for access to all non-exempt documents. No other Government in Australia has been prepared to provide such openness. Before examining the provisions of the Bill, it is appropriate to review the

development of freedom of information legislation in this State. This Bill is part of the Government's policy platform and was also recommended in the Fitzgerald report. In particular, freedom of information legislation was considered and recommended by the Electoral and Administrative Review Commission after it had carried out an extensive review process culminating in the release of its report on freedom of information. EARC's report included a draft Freedom of Information Bill. The Bill before the House is modelled on the draft Freedom of Information Bill contained in EARC's report. It is timely, therefore, to thank EARC and the Parliamentary Committee for Electoral and Administrative Review for their comprehensive reports and analyses on freedom of information legislation.

Currently in Queensland, there is no general right of access to documents held by Government agencies, even if they contain material which concerns a particular individual. In fact, the Government may be under a duty not to disclose information because of numerous laws containing secrecy provisions which prevent public servants giving access to documents held by Government agencies. The Bill replaces this presumption of secrecy with a presumption of openness. However, the Bill recognises the need to strike a balance between competing interests in determining whether particular information should be disclosed or not. Accordingly, the Bill provides that certain information will be exempt from disclosure because, if disclosed, there would be a prejudicial effect on essential public interests or on the private or business affairs of members of the community to which the information relates.

The Bill also recognises that freedom of information legislation is not applicable to certain bodies, which includes the operations of the Industrial Relations Commission because the judicial functions of a court are not covered by the Bill. I turn now to the main provisions of the Bill. The Bill confers three important legal rights in respect of the openness of government, which are—

(1) Every person has a general right of access to all the documents held by Government agencies, subject to specific exemptions necessary to protect the workings of Government, and business and personal confidences.

(2) If information which relates to the personal affairs of an individual contains errors or inaccuracies, that person has the right to seek the amendment of that information.

(3) Government agencies are required to publish information about their structure and functions, and every person has a right to inspect those publications.

These rights will apply to local authorities and this aspect of the Bill is a further example of this Government's commitment to openness and accountability. The Bill further provides that applications for access are to be made in writing and, where access is sought to a document which does not concern the applicant's personal affairs, applicants may be required, by regulation, to pay an application fee at the time the application is made. Provision is made in the Bill for certain time limits during which Government agencies must make a decision on an application for access to a document. Generally, 45 days is allowed for a Government agency to determine an application. However, in the case of non-personal affairs documents, which came into existence more than five years before the commencement of the Bill, 60 days will be allowed. An agency and a Minister are required by the Bill to give written notice of their decisions, together with reasons, to applicants if an application for access is refused in whole or part.

The right to amend inaccurate records held by an agency or a Minister is contained in this Bill. A person who obtains access under the Bill to a document containing information relating to the applicant's personal affairs, or the personal affairs of a deceased person to whom the applicant is next of kin, may apply for corrections or amendment if the information is inaccurate, incomplete, out of date or misleading. The Bill provides for

internal review of decisions of an agency made by persons other than an agency's principal officer or a Minister which concern applications under the Bill for access to documents or amendment of information. Internal review is to be completed by the agency within 14 days. In addition to internal review, the Bill provides for a right of external review of decisions made by agencies or Ministers under the Bill. This will allow people to obtain an independent review of these decisions. An applicant is required to seek internal review of a decision before proceeding to external review. The exception to this requirement is in the case of decisions by an agency's principal officer or a Minister where an applicant has a right to go directly to external review because internal review would be inappropriate for such decisions.

The Government has decided that the Parliamentary Commissioner for Administrative Investigations is to perform the role and functions of the Information Commissioner. The Government is confident that the Parliamentary Commissioner can efficiently and effectively perform the external review role under the Bill. In that capacity, the Parliamentary Commissioner will have powers additional to those which normally apply to that office. The Information Commissioner is given extensive powers to investigate and review decisions of agencies and Ministers. After conducting a review, the Information Commissioner can affirm, vary or set aside and substitute a decision.

The Bill not only confers important new rights on the community but also imposes a positive obligation on agencies to make public their organisational structures and functions. The Bill requires all agencies to make available for public inspection and purchase copies of its most recent statement of affairs and each of its policy documents. In view of the fact that the Bill will have a substantial impact on the operations of the Queensland Government and in order to ensure that the Bill is properly meeting its objective, the legislation will be reviewed after two years of operation. This Government believes that the Bill represents a major commitment to enhancing the rights of average citizens in their dealings with the public sector and is, once again, further evidence of the commitment of this State Government to the reforms recommended in the Fitzgerald report. The Government acknowledges the need for informed debate on this Bill. Accordingly, it has been decided that the Freedom of Information Bill will lie on the table of this House over the December/January period.

In conclusion, this Bill will effect a major philosophical and cultural shift in the institutions of Government in this State. The assumption that information held by Government is secret unless there are reasons to the contrary is to be replaced by the assumption that information held by Government is available unless there are reasons to the contrary. The perception that Government is something remote from the citizen and entitled to keep its processes secret will be replaced by the perception that Government is merely the agent of its citizens, keeping no secrets other than those necessary to perform its functions as an agent. Information, which in a modern society is power, is being democratised. I commend the Bill to the House.

Debate, on motion of Mr Stephan, adjourned.

VALUERS REGISTRATION BILL

Hon. A. G. EATON (Mourilyan—Minister for Land Management) (4.56 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act relating to the regulation of valuers, and for related purposes."

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) (4.57 p.m.): I move—

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

In 1965, the Government established the Valuers Registration Board as a regulatory mechanism for Queensland's valuers. The term covers all those who make valuations of land or of any estate or interest in land. In recent times, the board recognised that the Act had some deficiencies, particularly with regard to taking disciplinary action against registered valuers. In April this year, I authorised distribution of a discussion paper. The paper received widespread support from the valuation profession. This Bill includes the amendments which were described in detail in the discussion paper. During the course of having the legislative amendments drafted, it was decided that the best course of action would be to rewrite the Act. The result is this Bill, which I am pleased to say is written in plain, modern English.

As well as incorporating the required amendments, further improvements have been made to make the new Act relevant to the 1990s. The Bill provides for the appointment of two assistant members. The assistant members have been created for the purpose of assisting with disciplinary hearings. The board, as it is presently constituted, comprises three members. The three members conduct disciplinary hearings for complaints against registered valuers. On occasions when a member was involved in the investigation of the complaint, the result was that the hearing was conducted by only two members. The inclusion of two additional members will mean that disciplinary hearings will generally be heard by a committee of five. The new assistant members will be selected from a panel of names supplied by the Real Estate Institute of Queensland and the Australian Institute of Valuers and Land Economists. One assistant member will come from each institute. The Bill provides members of the board with some protection against liability. It was felt that this protection was necessary in view of the fact that the board may be required to conduct investigations and subsequent disciplinary hearings against valuers where the valuation of the property involved could be many millions of dollars.

Another area where the Bill improves on the previous Act concerns the requirements for registration as a valuer. There was an anomaly in the previous Act which enabled part-time students to become registered before they became graduates of full-time valuation courses. The new provision will remove the anomaly by providing for minimum practical experience of five years from the commencement of an approved course of study. This new provision will apply only to those who are yet to commence a course of study. It will not apply to those who are currently enrolled in a course of study.

One of the responsibilities of the board is to maintain a register of valuers. To date, if a valuer failed to pay a roll fee by the required date, he would automatically be removed. Upon payment of the appropriate fee, the valuer's name would be automatically reinstated. In some circumstances, a considerable amount of time may have elapsed before reapplication, and there was concern by the board that the person may no longer have the necessary skills. This Bill provides for the board to satisfy itself that an applicant for reregistration is still able to competently perform valuations in Queensland.

This Bill contains substantial new provisions regarding disciplinary matters. These provisions are modelled on those which apply to other regulatory boards, and will provide

the valuer's registration board with the appropriate powers to undertake investigations and conduct disciplinary hearings in an appropriate manner. The new provisions will assist the operations of the board by specifying procedures, allowing for the appointment of an investigator, and providing the board with the right to conduct investigations of its own volition and to investigate unregistered persons who may have breached the Act.

The Bill makes allowance for professional architects, engineers and quantity surveyors to make cost assessments/cost estimates of any building or improvements in the course of their professional duties, but they are not allowed or empowered to make valuations of any land or improvements. To conform with the principles of mutual recognition with other States and Territories, valuers in Queensland will no longer be classified as urban valuers and/or rural valuers. They will be referred to simply as valuers. This will bring Queensland into line with the other States and Territories. This Bill is providing a major update on the regulatory mechanism for Queensland valuers. It will improve the operations and provide the necessary means to ensure the profession of valuing is adequately regulated. I commend the Bill to the House.

Debate, on motion of Mr Stephan, adjourned.

PARLIAMENTARY COMMITTEE FOR ELECTORAL AND ADMINISTRATIVE REVIEW

Publication of Evidence and Submissions

Mr FOLEY (Yeronga) (5.05 p.m.), by leave, without notice: I move—

"That so much of Standing Orders be suspended as would prevent the Parliamentary Committee for Electoral and Administrative Review from authorising the publication of evidence given and submissions made to the committee in relation to its review of the Electoral and Administrative Review Commission Report on Local Authorities External Boundaries Review."

Motion agreed to.

REVOCATION OF STATE FOREST AREAS

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (5.06 p.m.): I move—

"(a) That this House agrees that the Proposal by the Governor in Council to revoke the setting apart and declaration as State Forest under the Forestry Act of:-

(i) All that part of State Forest 3 described as Area 'A' as shown on plan FTY 1620 prepared under the authority of the Conservator of Forests, Department of Primary Industries and containing an area of about 85 165.6565 hectares;

(ii) all those parts of State Forest 88 described as Area 'A' and Area 'B' as shown on plan FTY 1621 prepared under the authority of the Conservator of Forests, Department of Primary Industries and containing in total an area of 163.125 hectares be carried out; and

(b) That Mr Speaker convey a copy of this Resolution to the Minister for submission to His Excellency the Governor in Council."

These proposals make provision for the excision of land from State forests on Fraser Island and near Injune. I would like to mention at this juncture that these matters have

been carefully considered by the Conservator of Forests and have his full endorsement. The first proposal involves the excision of an area of about 85 165 hectares from State Forest 3 on Fraser Island. The conservation values of Fraser Island were addressed by the Commission of Inquiry into the Conservation, Management and Use of Fraser Island and the Great Sandy Region, and it was a recommendation of the commission of inquiry that the Commonwealth Government be requested to nominate Fraser Island for inscription on the World Heritage List.

A further recommendation of the commission was that all State forest on the island be revoked except to the extent appropriate for limited logging. The Government recently decided that all logging on the island is to cease by 31 December 1991. As indications are that cessation of logging may be achieved well before that date, it is now considered appropriate to submit this proposal to the House for the excision of the major part of State Forest 3 so that the commission's recommendations regarding the management of the island may be implemented. Areas totalling about 35 hectares will remain as State forest due to the fact that such areas are covered by tenures issued under the Land Act and the Forestry Act. Negotiations are continuing with the various lessees and permittees with a view to seeking surrender of these tenures, and upon finalisation of these matters the subject areas will also be excised from the forest estate.

The second and final proposal provides for the excision of about 163 hectares from State Forest 88 which is situated about 30 kilometres north west of Injune. The major part of the area proposed for excision is intended for inclusion in lot 4 on plan WT350 which adjoins the State forest, with the balance area being required for minor road adjustments. State Forest 88, which was part of former Westgrove pastoral holding, was gazetted in an unsurveyed state in 1981. The lessees of lot 4, which was also part of former Westgrove pastoral holding, have applied to freehold their lease, and survey of the subject area was conducted along existing fence-lines, which was satisfactory to both the lessee and Queensland forest service. After survey, it was found that parts of the gazetted State forest had been fenced and managed as part of lot 4, and areas of the leased land had been managed as part of the State forest. This proposal to excise areas from State Forest 88 will not adversely affect the management of the balance of the reserve, and the lessee of lot 4 has agreed to the inclusion of certain parcels of his leasehold land in the State forest. When these areas are included at a later date the net effect of these adjustments will be an increase in the area of State Forest 88. I strongly support each of these proposals, and commend them for the approval of the House.

Mr STEPHAN (Gympie) (5.08 p.m.): At this late stage of the sittings, the first proposal we have before us seeks to excise a particular area of State forest, which will have enormous repercussions on the Queensland timber industry. The second proposed revocation of State Forest 88 is supported by the Opposition. The proposal provides for the excision of those areas of State Forest 88 which, after a survey, were found to have been fenced and managed as a part of lot 4. The lessee has indicated his willingness to surrender those areas of lot 4 which had been managed as part of the State forest. I am told that those areas will be added to the reserve at a later date, with the net result of these adjustments being an increase in the area of State Forest 88. The first excision of 85 000 hectares of Fraser Island has made its presence felt in the Wide Bay/Great Sandy Region. I am not too sure whether the Government has considered the full implications of the decision or even the implications of the suggestions made by Mr Fitzgerald in his report. For example, in recommendation 62, he stated—

> "The Conservator of Forests, in consultation with the timber industry, seeks to develop a rationalisation plan to ensure the continuation of a viable timber industry . . ."

At present, that recommendation is being put into effect in the native plantations and forests. In recommendation 63, Mr Fitzgerald stated—

> "The continuation of a viable timber industry . . . supported by financial and other appropriate government incentives for the identification and development of suitable sites for afforestation in the district by . . . the regeneration of areas of biologically impoverished or wood-unproductive forest . . . the establishment of hardwood plantations."

The establishment of hardwood plantations should have been considered and in place prior to that recommendation and before we considered excising large areas of State forest containing such enormous quantities of hardwood timber. As a result of the cessation of logging of the Great Sandy Region, when the mills asked the Minister to suggest alternative supplies of timber, he stated that there is no such thing as an alternative supply of hardwood. He said that the mill log availability in the Gympie sawmill allocation zone is, however, quite clear cut. He said that there are no alternative resources available to offset the loss and that the Queensland Forest Service is unable to maintain the previous allocation level to particular companies. That is a sad commentary and an indication of the Government's attitude on the future of mills in the area. The Government will not say that it will replace that hardwood with radiata pine or the Caribbean needle-type pine, because it is a different type of timber. I am concerned that, after 30 years of moisture, some of the rafters that are being produced from the radiata pine and the Caribbean pine will break. However, the hardwood timber has done the job for 100 years, and it will be there for a lot longer.

It must be appreciated that, nationally, 62 per cent of the timber resource still comes from native forests. Through this revocation, we are witnessing a gradual reduction in the native plantation. It must be realised that selective harvesting of timber keeps the forests healthy, enabling them to regenerate. For example, logging of Fraser Island commenced in 1869—more than 120 years ago. It is a tribute to the sustainable methods used by loggers and millers that, at present, Fraser Island could be considered for World Heritage listing and in a fit state to be viewed as an outstanding, worldwide, natural attraction. Even after 120 years of logging, Fraser Island has been left in a sound state by the loggers.

According to the Fitzgerald report, 81 jobs will be lost on Fraser Island. In fact, when one takes into account the flow-on effect on people who depend on those jobs—which is 2.5 to 1 and even up to 7 to 1—one realises the disruption that is being caused in that area. The loss in terms of resource is equivalent to 10 per cent of Queensland's hardwood resource. Obviously, we will try to replace that hardwood with imports. At present, $2 billion worth of forest products are imported into Queensland, which does not represent a sound investment for this State, and it does not represent a sound investment for the countries from which they are coming. At present, those overseas countries are beginning to manage their forests. For some time, the Queensland Forest Service has been supplying experts to those countries to assist and advise them. That advice is starting to show results, but it is only the beginning. What is more, we must realise that more than 50 per cent of the timber used in Queensland comes from outside the State, which does nothing to assist the timber industry. We should be concentrating on value-adding our products. Another point is that the timber industry has asked that logging continue until alternative means of employment and supply have been found. This is one area that the Government has not taken cognisance of. It has not made any great effort to put the proposal in place.

I believe that what has been put in place is something that is back to front. The comment has been made that it is "too fast, too silly". The usual sequence is ready, aim, fire. But this is in reverse. The firing is done first, then an attempt is made to aim and then, as the package and the days unfold, the Government sees if it is ready. It has not been

successful. The industry and the population in the general area of the Great Sandy Region have lost confidence. One has only to walk down the streets of any of those cities to be able to find that out. The other thing that annoys me and upsets me a fair bit is the so-called package for the Great Sandy Region. I am now told that the package is not for the Great Sandy Region, and the member for Maryborough well knows this. It is only for the area around Maryborough. Industries outside that area are being told, "Too bad. Hard luck. It does not apply to you." This package outlines who is eligible and refers to hardship and special cases that can apply, relocation allowances and the severance payment after years of continuous service. But what is the good of all that when it is stated that, unless the industries concerned have been involved with logging timber on Fraser Island, they are not eligible? These are things that upset not only me but also many of the people who live in the area. I was not aware of this until I was at a public meeting in Maryborough at which I asked the Treasurer just what he was considering and whether workers in areas other than Maryborough could expect compensation. He told us, "No, they can't." However, it is found that parts of this package help Maryborough very well indeed, giving it a great deal of support.

Mr Casey: Leave it on the floor.

Mr STEPHAN: I suppose the Minister does not like to hear it. It is a pity that he is not listening. There is still a fair bit of support for Maryborough, even to the extent of an allocation for a public relations officer. I wonder whether that allocation is just one of the programs in an attempt to re-elect Mr Dollin and Mr Nunn next year.

Mr Elliott: They have no show.

Mr STEPHAN: I know they have no show. They are worried characters. It is not doing their re-election causes any good at all.

Mr Casey: What a terrible accusation!

Mr STEPHAN: We will see just where that money is spent. We will certainly take a close look the moment someone from the Premier's Department is working in that area.

Mr Elliott: It would want to be a big improvement on the shonky operation that went on in north Queensland.

Mr STEPHAN: It is an addition. They learnt from that. They certainly are not doing anything to overcome it.

As I pointed out, we have very limited time in which to debate this motion. Because time is of the essence, I will not deal with this matter as fully as I would have liked. In what I have said, I certainly hope that I have impressed upon the Minister that we are not happy with the situation in Gympie. We are not happy with what we believe will happen as a result of this decision. It is for that reason that I move the following amendment—

"Delete—

'(i) All that part of State Forest 3 described as Area "A" as shown on plan FTY 1620 prepared under the authority of the Conservator of Forests, Department of Primary Industries and containing an area of about 85 165.6565 hectares;'."

I ask my colleague to second the amendment.

Mr ROWELL (Hinchinbrook) (5.20 p.m.): I rise to second the amendment. The National Party is greatly concerned about the revocation of forestry areas on Fraser Island. I am very supportive of the motion and the amendment that has been moved by the Opposition Forestry spokesman. The timber industry is of some significance in this State. Locking up resources is a major concern. Fraser Island possesses a wide range of timbers, particularly the satinays and the blackbutts, which are of immense benefit not

only to the Maryborough region but also to the rest of Queensland. Maryborough hardwoods are used throughout the length and breadth of Queensland. In fact, the floor of my house is made of Maryborough hardwood. It is a very durable and very strong timber and it comes up very nicely as a polished floor.

Timber is a great way of storing carbon. That is of major significance when consideration is given to the greenhouse effect. Locking up another resource in Queensland of a magnificent area of timber is of some concern to the National Party. In fact, about 18 months ago a group of us went over to Fraser Island and had a very close look at the forestry operation there. We were really quite impressed with the way in which the area was selectively logged. In the case of blackbutt, certain sites were regenerated by fire. In small-sale areas of up to one and two hectares, very effective regeneration was occurring. There was a program of assisting that regeneration with planting of some areas that were not coming on all that well. Generally, I thought the program was working very well. I think all members of that party were very impressed with what the Queensland Forestry Service was doing over there. It is of some concern, I think, that Australia now imports about $2 billion worth of forest products each year. If forestry areas are continually closed up, more timber will have to be imported. Of course, our softwood plantations will be coming on in time and they will be of some benefit. But they will not replace the particular type of timber that is on Fraser Island.

Mr Elliott: They are bringing it in from other countries that have clear-felled.

Mr ROWELL: That is right—from countries that are not as responsible as Australia is. In fact, in many instances our technology is being taken over to some of those countries and they are being shown how to do it. Yet we are importing timber from them. That is absolutely ludicrous. I have some concern about the compensation packages as they relate to north Queensland. As a result of the closure of sawmills, approximately 100 workers will lose their jobs, and those people who are involved in gathering the timber and bringing it to the mills will also lose their jobs. My experience in the north is that—as the Opposition spokesman said—there is a multiplier effect of about 2.5 to 1, which will lead to many hundreds of people in the Maryborough region being forced to look for jobs.

A compensation package of some $38m has been implemented. That looks very attractive on the outside. The expectations of Maryborough are that the package will replace the timber industry. But that has not necessarily been the case in north Queensland, where some $75m was given to World Heritage listing. As a result of that listing, a massive part of the north was closed down and a number of sawmills ceased operation, but no new industries were created. Small assistance packages were provided to assist considerably with some remedial work in the various shires.

I understand that, at present, about $35m is left in the package, and we are having a major battle with the Federal Government to get that money. We are also looking for job-creating activities, particularly in tourism. I understand that Maryborough is hoping to regain its tourism industry, which was lost by the developments in the timber industry. The problem is that Governments must be motivated to a point at which they distribute that funding wisely. Some companies in north Queensland received assistance but frittered away that money and expended it in such a way that the area received no benefit whatsoever. The member for Tablelands would be familiar with those areas around Ravenshoe that have a massive debt problem which they are hoping to get out of. I turn now to the conservationists, who are totally concerned with preservation, not conservation. I believe that many of them are hypocrites. As consumers, they use wood products and wood goods.

Mr FitzGerald: Good wood goods?

Mr ROWELL: Good wood. Those people are not very responsible in their attitude to many things. It is absolutely imperative that we maintain a balance. We must be able to use our resources and use them wisely. That is not the case with Fraser Island. That represents the total closure—a lock-up, one might say—of an area that has immense potential to supply hardwood to Queensland in particular and perhaps to other parts of Australia. In these circumstances, Governments are all too ready to hand out money for conservation purposes. Although that might be fine, the conservationists have a tremendous amount of power.

Mr Dunworth interjected.

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

Mr ROWELL: We could reach a stage at which the pendulum swings the other way and people who cry wolf in conservation issues find that not a great deal of notice is taken of them. As a consequence, some of the things that we are trying to conserve might go by the way because those people have overdone it. I am sure that the Minister will agree that Governments must be very careful about this. We have a responsibility to provide areas for timber industries, agriculture, fishing or whatever in order to enhance our prospects of life in north Queensland.

Mr DOLLIN (Maryborough) (5.27 p.m.): I rise to speak to the revocation of parts of certain State forests. The first proposal involves an area of about 85 165 hectares from State forests on Fraser Island. This is in line with the recommendations and findings of the inquiry conducted into Fraser Island and the Great Sandy Region, chaired by Tony Fitzgerald, QC, and the Government's acceptance of those recommendations. This meant that felling was to cease by 31 December 1991. But the last log was felled on 7 November, and all harvesting will be completed before the end of this year. This brings to a halt over 120 years of logging on Fraser Island. The timber resource harvested from the island over that period had a major impact on the development and growth of Maryborough and Queensland, as most of the building timbers for north Queensland derived from the Maryborough region. That is still the case to a large degree. These decisions were a shock and a cause of great concern to the timber industry, to the people employed within that industry and to me to a large degree.

To serve in the timber industry for any length of time, one needs the resilience of a railway sleeper. The workers of the timber industry in the Maryborough region have proved that they have that resilience. Even though the Nationals and Liberals rushed to Maryborough to pump out their doom and gloom and fear campaigns, and had some success in the short term, the people of Maryborough now recognise them as negative fear merchants. This includes their hopeful candidate Gilbert Alison. I am pleased to report that the timber workers and the timber industry now recognise that this Government's growth and development package for Maryborough and Hervey Bay will look after the workers in the industry in that region. Those people recognise that this Government keeps its promises and will look after the people of that region.

Mr Dunworth interjected.

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

Mr DOLLIN: The Conservator of Forests has been fully consulted and has given his endorsement to the excision of that area from State forest. The Forest Service can indeed be very proud of its management of the forests of Fraser Island, as can the timber-harvesters who have worked there over all those years. Today, we are excising that land, which has been harvested up to three times in the past 120 years, for the purpose of its inscription on the World Heritage List. I might add that the land is still in good enough condition for inscription on that list. This speaks volumes for the marvellous job that has

been done in the management of those forests by those people. The final proposal is for the excision of 133 hectares from State Forest 88, which is about 30 kilometres north west of Injune. The major part of that area is intended for exclusion from lot 4, which adjoins the State forest. The balance is required for minor roadwork.

I will read a statement made by a worker who was retrenched recently from the Hyne and Son sawmill. He is the first timber-worker who was retrenched in the wake of the Fraser Island logging ban. He thinks that his sacking is the best thing that ever happened to him. A former labourer at the Hyne and Son sawmill in Maryborough, Mr Dean Ogden, 22, has been re-employed by the Queensland National Parks and Wildlife Service as a ranger in the Cooloola National Park. Based at the beautiful Freshwater camping area near Double Island Point, Mr Ogden could hardly believe his new job or his good luck.

Mr FitzGerald: What is his name?

Mr DOLLIN: O-g-d-e-n. In addition to normal severance pay from the sawmill, he received a special $5,000 State Government dislocation allowance paid by the Fraser Island implementation team, which also found his job. Mr Ogden said—

> "The mill management made the decision about who would be retrenched and when. It is traumatic worrying about what would happen, but I've definitely landed on my feet. I'd far rather be out here than labouring in the mill. I have different things to do each day, whereas in the mill you do the same things all the time. If I had stayed at the mill, I would still have been doing the same thing in 20 years. There was no future. All I had was pay from week to week. But now I have a chance to build a career and move up the ladder. My pay is about the same, but the job satisfaction is fantastic."

That is what the first retrenched worker said, and that is what the rest will say.

National Party members talk about jobs not being available for future workers. I can reassure them that there will be a surplus of jobs for workers—in spite of all the doom and gloom that National Party members hoped would come true. In fact, Opposition members have nightmares when they believe that it will not come true, because they told so many stories that they know they will start to look like fools. People are beginning to see members of the Opposition as fools—untruthful ones at that. An article about the managing director of Hyne and Son stated—

> "Mr Warren Hyne, managing director of sawmillers Hyne and Son at Maryborough, said yesterday the end of logging broke a 120-year association his company had with the island.
>
> He said the stop to logging ordered by the State Government after the recommendations of the Fitzgerald inquiry into the island were handed down in May, had begun a worrying time for him.
>
> He had been concerned for a long time about retrenchments to his staff and the difficulties it would cause in such tough economic times, he said. Things had turned out much better than he had hoped.
>
> 'We've actually had more applications for retrenchments than we've had jobs to lose,' Mr Hyne said. 'We lost 20 jobs out of a milling staff of 100 which were directly related to Fraser Is.' "

The doom and gloom rubbish and the fear and smear that Opposition members have spread has come home to roost. It has settled all over Gilbert Alison. It is hanging off him like chook manure. It is sticking and it smells. Opposition members frightened the life out of people. They really worried families. They had them upset. Those people have now found out that the Government was telling them the truth all along. Opposition members

are just disappointed because all the terrible things that they predicted did not come true and they are no longer believed in Maryborough.

Mr DUNWORTH: I rise to a point of order. That was a disgraceful attack on the integrity of the Liberal and National Parties.

Mr SPEAKER: Order! I call the member for Maryborough.

Mr DOLLIN: I am more anxious to have the debate conclude than I am to argue with my good friend.

Mr DUNWORTH (Sherwood) (5.35 p.m.): The Liberal Party supports this revocation motion and the one shortly to be moved by the Minister for Environment and Heritage. I would like to comment on the member for Maryborough. He reminds me of the old seagull. He found the headwinds a bit too strong, so he lay on the deck with his legs in the air and his wings flapping, but he was going nowhere. I have a lot of respect for Mr Casey because he has done it the hard way. It was very unfortunate that on the Cathy Job show yesterday afternoon Professor John Warner commented that he thought Mr Casey was a very limited Minister and that he should be replaced by someone who has some talent such as Mr Peter Beattie. I must admit that Mr Beattie probably does have more talent. However, a close family member of mine went on an overseas tour with Mr Casey and said that the Minister performed admirably. Maybe Mr Beattie can handle matters onshore and Mr Casey can handle them off shore.

This revocation is related directly to the World Heritage area of Fraser Island, which I am on the record as supporting totally, unlike the member for Maryborough who puts his legs in the air the whole time. We want to know who will control the World Heritage area on Fraser Island. Will we have the same convoluted, unwieldy, unworkable model that we have with the Wet Tropics? Will we have an unelected, unrepresentative authority like we have with the Wet Tropics? Will we be told year after year, as we are now, that the management plan for Fraser Island is only six months away—as we are hearing now about the Wet Tropics? Will we see hundreds of thousands of dollars wasted holding ministerial council, management authority and advisory committee meetings all to no good end, as we see with the Wet Tropics? Will we hear the platitudes about the importance of eco-tourism on Fraser Island and find that every proposal that comes forward is rejected, as we have with the Wet Tropics? We have one proposal at the moment, that is, the tramway from Eurong to Wanggoolba Creek. We have heard nothing from Mr Casey, but I understand that, because he knows very little about it. We have also heard absolutely nothing from the Minister for Environment and Heritage. That is an eco-tourism project that he should get behind.

Mr Dollin interjected.

Mr DUNWORTH: All I can see is the member for Maryborough's wings out and legs in the air. This eco-tourism project will take a lot of the pressure off the roads on Fraser Island, but we hear absolutely zilch from the Labor Government. I ask: will the Government employ professionals in the Queensland National Parks and Wildlife Service to make considered and professional decisions, or will it hand over these decisions to cronies and friends of the party who land a job on the advisory board, as occurred in the Wet Tropics? The community needs some answers to these questions. We have all heard about the benefits of World Heritage listing, but we will need positive management to capitalise on the listing and, above all, the capacity to develop plans and policies and make decisions.

I return to the package for Fraser Island which is directly related to this revocation. The Premier announced a $37.7m growth package for Fraser Island and the Great Sandy Region, but let us examine a little more closely how this will be spent. What benefits to tourism are planned? It must be taken into account that the Premier and the Government

sold the package on the basis of tourism. What benefits to tourism is the Government planning for Fraser Island? If members look at the document *The Great Sandy Region, Securing the Future*, they will find that across the entire Great Sandy Region—which includes Cooloola, Woody Island, Fraser Island and the marine park—only $1.4m over two years is being spent on visitor facilities. That will go absolutely nowhere. I will put that figure into perspective. According to press clippings I have in my possession, the Wet Tropics had more than $1.4m allocated to it for visitor facilities in the first few months of operations, and that is with a highly conservative authority in charge. Fraser Island pre-Fitzgerald is another example. Way back in 1985, the Fraser Island Board borrowed—and I understand is still paying back—approximately $1.7m. The money was spent over two years. In 1991, the Goss Government will give $1.4m over two years for visitor facilities. It considers this to be a major input into Fraser Island. In real terms, that is about half the money that was spent in the mid-1980s. In addition, half the money will probably be spent at Cooloola and on the marine park. What can be bought for $1.4m, bearing in mind the added costs associated with building on a sand island? They will probably build a couple of toilet blocks and public areas because it would take more than $1.4m just to fix up the mess at Lake McKenzie.

The Goss Government is big-noting the fact that it is replacing the timber industry with an expanded tourist industry. I have some respect for the member for Maryborough and I am sad to see him roll over completely with his legs in the air. The Government is throwing petty cash at Fraser Island. What is the point of spending $2.4m on road improvements at Cooloola and on Fraser Island to attract more visitors and then not upgrade the visitor facilities to handle the increased visitors? In his press statement on 17 September 1991, the Premier said he was allocating approximately $6m for upgraded and new tourism infrastructure on Fraser Island, but when one looks at his detailed papers, the truth comes out. Only $3.8m is available, and $260,000 is for the re-election campaigns of the two book-ends in this House, Bob and Bill. The sum of $2.4m has been provided for roads and $1.4m for visitor infrastructure. This money is to be allocated across all the parks in the Great Sandy Region, not just on Fraser Island. I challenge the Premier to show me $6m-worth of tourism infrastructure projects on Fraser Island under this package. They do not exist. A serious attempt to upgrade and improve visitor facilities on Fraser Island would cost between $10m and $12m over three years. If the Goss Government was even half serious about putting money into visitor facilities on Fraser Island, it would write off the recreation board's debt and allow the money to be spent on island management. The Government has to earn its credentials with the tourist industry in the region and provide support in terms of dollars and cents tourism initiatives that will genuinely replace the timber industry. This House has heard a lot about what will happen on Fraser Island, but it is all rhetoric and very little of the money will actually be invested in Fraser Island. The reality is that this is to replace the expenditure by the Minister's department on harbours and marine and forestry. The Liberal Party supports the revocation and wishes all members a happy Christmas.

Mr J. H. SULLIVAN (Glass House) (5.43 p.m.): The Christmas break is tantalisingly close and therefore I do not propose to take a great deal of time in enthusiastically supporting both the revocations which are before the House today. However, I oppose as vigorously as I can in the short time available to me the arrant nonsense that has been presented to this House in the form of the amendment moved by the member for Gympie. I could almost recite the speech of the member for Gympie word for word because he has trotted out the same speech in a number of forestry revocation debates during the last two years. As the honourable member was making his speech, I thought that perhaps the Minister for Environment and Heritage should gather up the document and introduce legislation to give the document itself some heritage protection.

Never before in the history of Queensland has a matter of political party policy been so vindicated by a public inquiry. The Fitzgerald inquiry into Fraser Island brought forward a recommendation that this area be included in the World Heritage List. At the time that occurred some concern was expressed regarding the timber industry and the jobs of workers in that industry. I believe that those concerns have been more than adequately addressed by the Government and have been mentioned in sufficient detail today by my colleague the member for Maryborough. However, I think it is important to recall that in May, when the report of the Fitzgerald inquiry into Fraser Island and the Great Sandy Region was presented, all commentators gave the idea of World Heritage listing the thumbs up. At the time, they said that there would be a cost and this Government agreed that, in order to do the right thing by the people of this State and the people of Australia, that cost would be met. However, the important point is that, as a matter of policy, for many years now the Australian Labor Party has said that logging on Fraser Island would cease, and the inquiry conducted by Mr Fitzgerald vindicated that policy. I believe that members of the Labor Party can be proud of the fact that, for 14 months, they demonstrated a great deal of restraint while the inquiry was under way.

It is important that I read into the record a small quotation that was published in the *Australian* on 23 May because it relates to the importance of World Heritage listing of Fraser Island. The report states—

> "The $2 million study on the future of Fraser Island and its environs took Mr Fitzgerald, the former corruption commissioner, 14 months to complete.
>
> He found the region met all four criteria for World Heritage listing.
>
> 'Fraser Island possesses an overwhelming range of features not found elsewhere in Australia and is unique in a global context,' he wrote.
>
> 'World Heritage listing would be compatible with the optimum conservation, management and use of the region, and would emphasise the need to maintain its ecological integrity.' "

I will conclude my remarks—because I realise that everybody is anxious to be elsewhere—by citing another article that was published the next day, 24 May, which states—

> "Above all, it was conceived by Mr Goss as a genuine exercise in resolving a land-use conflict between logging and mining and conservation. It was conducted in that spirit. It was not a cynical political exercise with a Government decision determined in advance."

In relation to Fraser Island, the Government accepted the umpire's decision. This revocation of approximately 85 000 hectares will enable this Government to give effect to those decisions. I support revocation of the specified areas of Fraser Island and Injune, which allow boundary transgressions by both Queensland Forest Service officers and property-owners to be corrected. I congratulate the Minister for moving the motion before the House. In concert with my colleague the member for Sherwood, I wish the Minister a merry Christmas.

Mr FITZGERALD (Lockyer) (5.48 p.m.): I join in this debate to make a few comments. At the outset, I state that I have not visited Fraser Island. In view of the report that was tabled in the House today, I am going to go to the island to investigate the timber industry that previously existed, as well as the tourism potential of the island. I have received a great deal of correspondence in relation to this matter. In fact, every child in Year 8E in one of the schools on the Gold Coast wrote to me in his or her own handwriting and asked me to try to stop the logging on Fraser Island. I suspect that the teacher had advised the children of the wrong address for Tony Fitzgerald, so I wrote a personal letter to every child and gave each one the address of the commission of inquiry which was

headed by Mr Tony Fitzgerald, QC. I left the terms of the letter fairly open because I did not wish to impose my views on those children. I also wrote to the teacher and suggested that next time he might obtain the correct address.

The matter that I wish to raise has already been raised by the member for Maryborough, who referred to a displaced mill-worker by the name of Ogden. Mr Ogden's photograph, or the photograph of a former mill-worker who is in a similar position, was published in the press. The accompanying article said that the person in the photograph had been employed as a ranger and was very happy working in that capacity at the Cooloola National Park. I have no objection to a person who has been displaced from employment being encouraged and given another job. However, I must make the House aware that this practice is causing pain elsewhere. I received representations from one of my constituents who wanted to become a ranger in the Queensland National Parks and Wildlife Service but was told that he would need a better education. He was advised to enrol at the Gatton University College and qualify to become a ranger. He attained the prerequisite qualification and applied for a job, but was not able to get a job as a ranger because there were no vacancies. Subsequently, he saw a photograph of a former mill-worker in the press and an article stating that that person, who did not have any specific training, had been given a job as a ranger. I have no doubt that if that person was Mr Ogden, he was a very suitable person for the job but, by the same token, one can understand the disappointment felt by a person who had obtained the necessary qualifications, only to find that a person who did not have the appropriate qualifications got the job.

Mr Stephan: Would you call that double standards?

Mr FITZGERALD: I believe that it was just a transfer of the unemployment problem from one area to another. The people of my electorate are experiencing unemployment problems that have been created by the cessation of logging and milling of timber from Fraser Island. I mention this matter to draw it to the attention of the House. In conclusion, let me say that I agree with the member for Sherwood, who alluded to the accounting procedures and the shift in the accounts that have taken place. I believe the matter he raised is an instance of creative accounting and that it is a very imaginative definition of "job creation".

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (5.52 p.m.), in reply: I thank all honourable members for their contributions to the debate. At the outset, let me say that the amendment is not acceptable to the Government, nor was some of the nonsense indulged in by the members for Gympie and Hinchinbrook. It was the old doom and gloom stuff from members of the National Party who are trying to hang on. In a moment, I will inform the House of the position in relation to yesterday's men who are members of the National Party. The truth of the matter was referred to by the member for Maryborough, Mr Dollin—that is, nobody at all has been sacked from the mills in Maryborough. In fact, as recently as yesterday, I spoke to Timber Board officers. Because the mill is about to put on an extra shift, those people are very happy because that move will lead to bigger, brighter and better things for Maryborough.

Maryborough has been a timber town for a century or more. It will continue to be the major town in this State in relation to the timber industry. Because of the Fraser Island decision, there will be some reduction in the hardwood cut, but in the years ahead there will be a major increase in the softwood cut. There are great opportunities ahead for Maryborough. Only yesterday, I talked about these very matters with people in the timber industry from Maryborough and other areas. The value adding that will go into the hardwood industry in the next few years will create many more additional jobs——

Mr Stephan: Where are you getting the hardwood from?

Mr CASEY: The honourable member should just sit there and wait. There are great opportunities ahead in those areas, including increased job opportunities. As I have said, over the next few years, there will be major increases in the softwood cut as the forest plantation timber matures and becomes a greater resource for the timber industry. This means that there will be opportunities for value-adding in the softwood industry. The Government has had a proper inquiry into Fraser Island. The honourable member for Gympie tried to say that the Government did not look properly at the issue. My goodness! A public inquiry went on for almost 12 months. It was very public indeed. It was kicked backwards and forwards between everybody in the community who had an interest in Fraser Island. The honourable member keeps talking about the fact that Queensland has to have more hardwood plantations.

Mr Stephan: I talked about alternative supply.

MR. CASEY: These plantations require reasonably good soil and more than 1 000 millimetres of rain a year. The member for Gympie would know that in his region and in the Maryborough region, these types of areas are now growing sugarcane or are being used for horticulture. Those areas are committed to those crops. I wish to thank Mr Dollin and Mr Sullivan, who are both members of my committee, for their contribution to the debate and the intelligent way in which they have approached this subject. As for the other speaker to this debate—one can always be assured that the timber industry on Fraser Island has gone, but Queensland will never be without logs while the member for Sherwood is a member of this House.

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

DIVISION

Resolved in the affirmative.

Motion agreed to.

Sitting suspended from 6.05 to 7.30 p.m.

REVOCATION OF STATE FOREST AREAS

Hon. P. COMBEN (Windsor—Minister for Environment and Heritage) (7.30 p.m.): I move—

"(i) That this House agrees that the proposal by the Governor in Council to revoke the setting apart and declaration as national park under the National Parks and Wildlife Act 1975 of—

(a) all those parts of national park 1024, parishes of Glady and Russell described as areas A_1 and A_2 as shown on plan RA 3813 made and prepared by the Department of Mapping and Surveying and registered in the Department of Lands and containing in total an area of about 3 267 square metres;

(b) all those parts of national park 727, parish of Marathon described as areas B, D, F, H, I, K, M and N as shown on plan NPW 439 made and prepared by the Department of Lands and deposited in the Office of the Director of National Parks and Wildlife and containing in total an area of about 8.00 hectares;

(c) all those parts of national park 641, parishes of Hewittville and Yeppoon described as areas C and D on plan NPW 433 made and prepared by the Department of Lands and deposited in the Office of the Director of National Parks and Wildlife and containing in total an area of about 4.98 hectares; and

(d) all those parts of national park 236, parishes of Aubrey, Biddulph, Boxvale, Cungelella, Eddystone, Marengo, Macleay, Morella, Nardoo, Nimbula, Pluto and Wealwandangie described as areas I, J, K, L, M, N, O, P and Q on plan NPM 10 deposited in the Office of the Director of National Parks and Wildlife and containing in total an area of about 109.9 hectares

be carried out; and

(ii) that Mr Speaker convey a copy of this resolution to the Minister for submission to his Excellency the Governor in Council."

Mr Deputy Speaker, I seek leave to table my speech and have it incorporated in *Hansard*.

Leave granted.

The objective of this motion is to make minor technical adjustments to the boundaries of four National Parks. It involves excising 21 areas totalling about 123 hectares. Exchanges of land totalling 215 hectares will be received in exchange for these revocations.

I am pleased to be able to inform the House that in each of the four cases, an exchange has been negotiated so that the total area of each National Park will not be diminished and in fact each National Park will increase in area slightly. The conservation value of the land to be added to the National Parks is also higher in each case than the land that is being removed. I will be recommending to the Governor in Council that 17 areas totalling about 215 hectares be declared as National Park. The overall result of the proposed changes is an increase in national park area of about 92 hectares.

The circumstances which caused these proposed boundary modifications to come before the house include:

inappropriate choice of boundaries when two of the areas were declared National Parks;

the opening of a road; and

accidental encroachment of inappropriate activities.

I will describe each individual case all of which have been investigated thoroughly.

The four National Parks involved are:

Ella Bay National Park near Innisfail;

Nypa Palms National park near Ingham;

Capricorn Coast National Park near Yeppoon; and

Carnarvon National Park near Springsure.

The first proposal involves the excision of about 3267 square metres from Ella Bay National Park which is about 10 kilometres north-east of Innisfail. In 1982 the Ella Bay Road which links Flying Fish Point to Heath point was opened. This road crossed the boundary of the National Park and severed two narrow areas from the National Park.

The road also severed one area from the adjoining leasehold land. This piece of land is about 8120 square metres and it is now available to be added to the National Park. This area contains fine examples of coastal lowland vine forest.

When this exchange is completed the road will separate the National Park from the private land.

The second proposal involves the excision of about 8 hectares from Nypa Palms National Park which is about 20 kilometres north-east of Ingham near the mouth of the Herbert River. This is an area of wetlands which had not been thoroughly surveyed in 1975 when the Nypa Palms National Park was declared. The park boundaries were designed without a land survey.

Subsequent investigations have shown that parts of the National Park contain areas that were cleared and have been used for sugar cane cultivation for many decades. The park also contains levee banks and other drainage works.

A 1985 revocation adjusted the boundaries but not accurately. A survey between 1988 and 1990 however has finally delineated a southern boundary which diverges significantly from the existing boundary. It will be necessary to revoke eight areas totalling about 8 hectares from the National Park to adopt this surveyed boundary.

Two of the landholders whose properties are adjacent to the National Park have agreed to exchange areas of native vegetation for the degraded areas and to provide easements for access to the National Park. The landholders would be able to purchase and cultivate the revoked areas.

The landholders will be satisfied and the National Park will increase by about one hectare; the area of native vegetation in the park will increase by about eight hectares; and access will be ensured.

The third proposal involves the excision of about 5 hectares from the Capricorn Coast National Park between Yeppoon and Emu Park. Two areas adjacent to a caravan park at Mulambin Beach are to be revoked.

The boundary of the National Park has not been adequately marked in the past and over the years campers have encroached into these areas and damaged the native vegetation.

An agreement has been reached with the Livingstone Shire Council which operates the caravan park to exchange these degraded areas for two other areas including part of a quarry reserve at Pinnacle Point which has high scenic value, and an area of frontal dune which has been rehabilitated recently.

The area and quality of the National Park will both increase and the Shire Council will have a larger caravan park when the exchange is completed.

The final proposal involves the excision of about 110 hectares from the Carnarvon National Park (np 236) south of Springsure. After gazetting a 2413 hectare addition to the National Park in the Salvator Rosa section in February this year, discrepancies in the boundaries were noticed.

To remedy these discrepancies it will be necessary to revoke nine areas totalling about 110 hectares which have been almost completely cleared of natural vegetation and have no conservation significance.

In exchange for these areas, the landholder has agreed to surrender eight vegetated areas totalling about 199 hectares for National Park. The landholder has also agreed to provide dedicated access to this western part of the Carnarvon National Park.

As this is one of the highest profile National Parks in Queensland I have consulted widely on this proposal. I have received favourable responses from the National Parks Association of Queensland and the Queensland Conservation Council for this proposal.

I support all of these proposals and I commend them for the approval of the House.

Mr ELLIOTT (Cunningham) (7.32 p.m.): We on this side of the House understand what revocations are all about, so I will not spend much time on that side of it. I had quite a bit to do with some of these national parks when I was Minister, so I am quite interested to see what is going on. The road to Flying Fish Point crosses the boundary of Ella Bay National Park, so we understand the reason for this part of the motion. There was no land survey when the national park was declared. That is often the case and there is nothing unusual about it. There is now an opportunity to sort that out. Cane-farmers have done drainage works on bits and pieces of the Nypa Palms National Park by mistake. We used to have some awful rows with the cane-growers. They used to say they owned the land and we used to say we owned it.

Mr Comben: We are still trying to sort out the problems you had.

Mr ELLIOTT: That is understandable. It is good that the Minister has something to do. There was no land survey when that park was declared. Access has been assured by the farmers involved. There has been a land swap. The public will benefit from this. The National Parks Association is happy with it, so we certainly have no argument with it.

The third proposal covers 5 hectares of the Capricorn Coast National Park between Yeppoon and Emu Park. The boundary was not properly marked. The Livingstone Shire Council runs the caravan park, and people were actually camping on a piece of national park and degrading it. I understand that the Livingstone Shire Council will swap for it part of the high land in a quarry reserve, which will be good from a scenic point of view, and some of the dunes on the forefront. That seems to be a pretty reasonable swap. I would like to do a few swaps like that myself. I see no argument with that proposal.

The proposal dealing with the Carnarvon National Park involves a substantial area. In connection with the Carnarvon area— we would use the bottom of a cliff as a boundary because it seemed to be a sensible boundary line, and we would use someone's fence as another boundary. We used common sense. We could not be spending a fortune on surveying when everybody was in agreement. This Government has added an additional area—I think it is Salvator Rosa—and has done some surveying to tidy up the line. Once again, people have been clearing country that is in the national park and probably were not aware of it, so other land has been swapped for it. I do not see any problems with that part of the motion.

I wish to touch on another matter because I would not like the Minister to think that he was going to get away scot-free, even though it is close to Christmas. What has happened in the Carnarvon National Park and national parks generally in the Carnarvon area is a classic example of what happens when grazing properties are continually acquired and the Government does not keep up with the management budget. The Minister is on the eve of a disaster and his credibility is about to burn up the chute with the fires out there. I do not know which church he goes to but I think I will go to the same one. We could not get any rain and the Minister got an inch of rain to put the fires out. I really do not think there is any justice in the world. I have worn out the knees of my trousers praying for some soft, gentle rain on the downs so that we could plant a decent crop within a reasonable time, and I could get none. The Minister wrecks this country and has a dreadful fire burning through the tops of the trees and destroying the flora and fauna, and he gets an inch of rain to put the fire out. It looked as if the whole place was going to go up. In all seriousness, it brings back to us very vividly the fact that we should not listen to people who say that we must not burn off in national parks and must not do this and must not do that. The purists are totally impractical. They do not understand. One can go back

as long as one likes to the days when Aborigines had total control of all that land, and the whole regime was a fire regime. Many of the species have developed through the use of fire. If burning is not used in a controlled sense in these national parks, and grazing is not allowed in some of them where it is practical and sensible to do so, the fuel will build and it will result in a disaster. The fires will run through the tops of the trees and the koalas and everything else will be burnt.

Mr Stephan: It will just like a fireball taking off.

Mr ELLIOTT: That is right. It will be a bit like that near miss we have been talking about. It weighed about 2 000 tonnes, and it missed us by something like 400 000 kilometres, which does not seem very close.

Mr Comben interjected.

Mr ELLIOTT: That is right. I think we should realise that this is a distinct problem. I can understand the Minister's agenda, that he is trying to achieve his aim of 4 per cent of the land area of Queensland as national park, and therefore he is going to go out there and grab every grazing property about the place that will give him large areas which will look good on paper. I suggest to the Minister, with his mates putting us through a depression—and that is all it can be called—that there has never been a more opportune time to buy areas of land that normally would not be able to be bought because they have been so expensive.

I ask him to look at the Scenic Rim area. There is an unfinished national park concept there which could be of world standard. It is an area that is going to have tremendous significance as far as national parks are concerned, and is of very great tourist potential for this State. It will bring to that area backpackers and people who are interested in hiking to do that trip across the top of the Great Dividing Range and through the Cunningham Gap area. It runs basically from Laidley to Point Danger. That is a marvellous area, and it would be a great shame if the Minister were too faint hearted to saddle up and perhaps buy some of those areas. There will be opportunities to do so. I do not recommend that the Minister should go out and advertise too much that he is going to do that—and I certainly will not do so—but I think it is important to take advantage of the present circumstances. There are other parts of this State where additional areas are available for national park purposes, so he should not just pick on the poor old cockies. I was interested to see the Minister get another workover again on the *7.30 Report* in regard to Riversleigh.

Mr Dunworth: Very gentle, wasn't it?

Mr ELLIOTT: Yes, a gentle workover, I would have called it. I think it is very important that the Minister sits down and works out some sort of an operation in that area. There is no real reason why there cannot be a viable national park up there. At the same time, the Riversleigh cattle station operation can be a viable and continuing operation.

Mr Comben: Would you agree with my giving them grazing rights over part of the national park?

Mr ELLIOTT: Yes, I think that would be a sensible idea indeed. It concerns me that the agenda has blown out from a 3 000-odd hectare suggestion to 85 000 hectares. I do not quite fully understand why the Minister wants to do that. There are other areas there that are quite useless from a grazing point of view—perhaps alongside Lawn Hill, for argument's sake. When I declared the first part of Lawn Hill, we looked at an expansion, and there certainly is potential to do that. I wonder whether there is not perhaps more potential to do that rather than having to deal with a problem such as Riversleigh. I can understand that there may be a need to take some of the area around the fossil find. It is very easy for a program such as the *7.30 Report* to slant things either way. All honourable members understand that. We know exactly what the media do, and how they can do it so

easily. From its report, it seemed that the fossil find was quite significant. I have great faith in the good doctor from the museum. I saw him large as life saying that the fossil finds there were very important, because so often we have seen only parts of fossils, but in that area some almost complete fossils are being found. I understand what the doctor is getting at, and I can see that perhaps what he says has relevance.

At the same time, I think the Minister should be looking very seriously at the size of the area he takes. That particular area is a long way from anywhere, and large areas would be very difficult to manage. In regard to the Undarra lava tubes, my first thought was to take an area of sufficient size that made sure that what needed to be protected, was protected. Perhaps in the future larger areas can be taken.

Mr Comben interjected.

Mr ELLIOTT: That could be so too, but I think the agenda is too greedy. I think the Minister is asking for too much.

Mr Comben interjected.

Mr ELLIOTT: The Minister is incorrect. At no stage did I promise 5 per cent. I do not necessarily support that at all. That is not my agenda. I think it is more important that meaningful areas which have significance to the State and which are necessary for all those reasons which I ran through here during the debate on the Minister's Estimates but will not go over again. They are all there for the Minister to read.

Mr Comben: I read them.

Mr ELLIOTT: The Minister agrees with me on most of them, I know. I think it is important that money is spent acquiring those areas rather than going out into other areas and terrorising all the cattle and sheep people because, quite frankly, at the moment they have enough dramas. It is heart-rending to see what is happening to the people at Riversleigh. Howard Hobbs and I had long discussions with them about their position. I am concerned at the Minister's attitude to the revocation. He should reconsider.

I ask the Minister, during the recess, to talk to his Federal colleagues about the Conservation Corps idea. In areas such as we are dealing with in this revocation, it would help, because it is expensive and difficult to look after national parks that are located in remote areas. The Government could use local unemployed people who would have a feeling for and understanding of the area. Although some of them are in horrendous circumstances on their properties, they have management skills to run that type of program. The National Party supports the revocations, but it wants to place on record that it is still not satisfied with the agenda that the Minister is setting with acquisitions. We believe the Minister's priorities are wrong and that he should spend more time, effort and money in acquiring some of the areas that are harder to get. After next year, the Minister will not have another opportunity. When the coalition is in Government, the GST package is introduced and the economy is running soundly again, the Minister will have missed his opportunity.

Mr DUNWORTH (Sherwood) (7.47 p.m.): The Liberal Party supports the revocations. However, I would like to make a few comments. Firstly, I support the Opposition's Environment spokesman's comments about south-east Queensland. That region has a dense population. In the next few years, land will be available more cheaply than it will be in the next 10 years. I know that the Minister has his own biodiversity program, but at the moment he is able to acquire property that in future he will not be able to acquire at an affordable price. I believe that all honourable members on this side of the House support the Minister in his acquisition of national parks, but we cannot support him in his budgets. The administration budget has increased by $5m to $7m. As well, the number of people on the ground—the people at the coalface who deal with national

parks—has increased by an infinitesimal 13 or 15 and the amount expended on acquisition of national parks in Queensland has increased by $800,000 to $1m.

I support the Minister. I believe he has a commitment to the environment, but I am a bit disappointed with the feedback I have received about the arrogant way in which he treats people with whom he deals. Apparently, he deals with people in an offhand way. I add that I have not had first-hand experience of that type of behaviour, but those comments have been fed back to me. I ask the Minister to comment upon that. I have read about his behaviour in the papers, I have seen it on television and I have received feedback from people. With the power that he has, I do not believe that the Minister should treat the citizens of Queensland in an offhand way.

As I said, the Liberal Party supports the revocations. I will not dwell on the matter tonight, because next year, with the amount of legislation that will be introduced, I will have many opportunities to discuss subjects such as the destruction of the National Parks and Wildlife Service. I will be able to point out how it has gone from what the Minister once claimed would be a new department to a branch. The Minister has appointed to his staff people who have very little information about the National Parks and Wildlife Service. People who have a good reputation in the National Parks and Wildlife Service have been fudged sideways because of claims that they have nothing left to offer. From my dealings with the National Parks and Wildlife Service, I believe that morale in that organisation is probably as low as it is in the Police Service.

The Minister has made a commitment and tried to perform. I ask him to treat people with a little more understanding. He is reported as having said to people who have given their lives and their savings to their land, "If you don't like it, we are going to take it, anyway." I ask the Minister to comment on that. Finally, I wish the Minister a happy Christmas.

Hon. P. COMBEN (Windsor—Minister for Environment and Heritage) (7.51 p.m.), in reply: That will not get the honourable member out of it. I thank the honourable member for Cunningham for his comments and his support. As to the need for rain at the Carnarvon Range—God looks after his own.

Mr Gilmore: You'll be right with that Moses beard.

Mr COMBEN: It is not white enough yet. When I deal with Mr Dunworth, it will turn a little whiter. Apparently I am going to deal with him in an offhand way. As to the fires—the honourable member for Cunningham seemed to suggest that the fires might have come from the national parks.

Mr Elliott: No. I know exactly where they came from.

Mr COMBEN: Right. I was very pleased that Mrs Ruth Wade from the Cattlemen's Union and my regional director, Richard Grimes, were out there at the time. At the Cabinet luncheon on Monday, I had the pleasure of sitting with Mrs Wade, who explained where the fires had come from. It was good that one of those tales did not get around about fires and feral animals only coming from the parks out there. However, it was great to see the national parks officers side by side with the local grazing community fighting those fires.

Mr Elliott: That's how it ought to be.

Mr COMBEN: Yes, that is the way it should be, and it will be increasingly so. The honourable member's comments about the use of fire and grazing in some areas was quite correct. Both are tools of management and necessary in some areas. By way of interjection, a comment was made that, at the last election, the National Party promised 5 per cent of the State would be national park; we promised only 4 per cent. If the National Party was trying to acquire 5 per cent today, I would fear for the people of the west.

Mr Bredhauer: Take him up on that as an election promise.

Mr COMBEN: That is right. The members of the National Party are now disclaiming their election promises. The comments made by the honourable member on the Great Dividing Range and the Scenic Rim National Park are ones that he has espoused for a long time, and I agree with him on that matter. It is a very expensive program, but I still hope that one day we will see a double ring of reserves around Brisbane. The first one will be an inner ring extending the Bribie Island park system up into the Conondales, down to White Rock, Flinders Peak, going down into Daisy Hill State Forest, Denman's Reserve and then over to the bayside islands; and beyond there again, another ring, which is the Scenic Rim. I would hope that it will be in my time. Although we are buying a number of small parcels of land through that area, it certainly will not be in the next year or two.

The honourable member mentioned Riversleigh and the increase in size from the fairly minimal scientific reserve of 3 500 hectares, which was promised under the honourable member's own Government, to a proposal of some 85 000 hectares today. That takes in both the fossil area and, of course, the biodiversity. It will be added to the Lawn Hill park proposal and then added to the Highland Plains proposal which is also right on the border. Those three parks together will make a very large complex. They will be a park which one day will rival Kakadu. The Mount Isa City Council supports the concept. It is a marvellous plus for tourism in that area and it will attract people from right across the world. The combined value of a very stark but attractive landscape along with the Aboriginal paintings and the fossils in that area will make it a world-class park.

We are still negotiating, or attempting to negotiate, with Mick Seymour and his wife and the other eight partners. My next offer to him on the fifteenth or sixteenth of this month, when he comes from Daydream Island—and I have cleared two days to be able to, at his phone call, go anywhere in Queensland to see him to negotiate—will be to purchase the 85 000 hectares at market value and to give him a grazing lease over that area for the length of time that his present homestead lease runs.

Mr Elliott: When does his lease expire?

Mr COMBEN: I think it is about 23 years. I stand to be corrected on that. We discussed it today and we were not quite sure, but it is that sort of period. I will give him an undertaking to ensure that tourists do not go past his house. The road will be rerouted around his house. Certain areas will be fenced for him. Tourists will have to camp further up the Gregory River away from him. We will look at a number of other things as well. He will effectively have his money in his pocket and the ability to use his land.

Mr Bredhauer: If he doesn't go for that, he's bananas.

Mr COMBEN: As Mr Bredhauer says quite correctly, if he does not go for that, he is bananas. That will be the last offer of this Government. It is an offer that I am making very publicly. Then we will have to consider our options. There cannot be a world-class park, sought since 1951, of that sort of standing in private hands with no controls over it. It is part of a huge potential for the north west of this State. Add it to Century Mine and Mount Isa and we have proper potential development in that area with proper protection. That is the offer being made and that is the offer from which we will not resile. I turn now to the comments made by Mr Dunsworth. He also referred to south-east Queensland parks.

Mr Dunworth: No "s"—"Dunworth".

Mr COMBEN: The honourable member for Sherwood. Well, I have never read his name in the paper, so how could I know how to spell it? The comments about the Budget have already been explained to him in the context of the Estimates debate and I think I have also written to him. I repeat for the third time that my department is available to the

honourable member at any time to brief him on any matter concerning environment and heritage in this State. He has never taken up the offer.

Mr Dunworth: I will be taking up the offer, but you have never written to me.

Mr COMBEN: Three times in this Chamber I have said to the honourable member that the offer is there. I can make no more public offer than that. I will write him a letter, and I will keep it down to one-syllable words. He has got a deal. The honourable member referred to my personal staff as having no experience of national parks. I make one observation to him immediately, that is, that only about 60 per cent of the department relates to national parks. There are one or two other areas in the Department of Environment and Heritage.

Mr Dunworth: Have you spoken to them? Have you spoken to the national parks people?

Mr COMBEN: I think the honourable member had better go and talk to the departmental staff. He referred to my personal staff. If he looks at the national parks experience of those personal staff, he will see that my private secretary is an officer of the National Parks and Wildlife Service of 22 years standing; my research officer, Miss Liz Bourne, was the coordinator of the Queensland Conservation Council for 10 years and has a vast amount of experience of national parks; and my press secretary, Ros Murray, was previously the environmental reporter for the *Courier-Mail*—in fact, she was the first environmental reporter for that paper—with some years standing. I do not think that the honourable member can say that members of my personal staff have no experience of national parks service.

Mr Dunworth: Why did you overlook all your deputy directors in your latest appointment?

Mr COMBEN: My deputy director, Mr Tom Tolhurst, is a man of longstanding experience in Queensland. He holds a Bachelor of Commerce, Bachelor of Laws and Bachelor of Economics. He is one of the best administrators that this State has, and the department itself acknowledges that a good administrator was needed. He has management and experience in the public service. Tom Tolhurst is doing one of the best jobs of any public servant in this State to reorganise the department and to make it efficient and effective—the principles which the honourable member's party, as well as mine, espouse. It is a great tragedy that the honourable member would in any way attack either my personal staff or people such as Tom Tolhurst.

Mr W. K. Goss: He plays the man and not the ball.

Mr COMBEN: The Honourable Premier interjects that the honourable member for Sherwood plays the man and not the ball. I come now to my last comment. The honourable member referred to my dealing with people in an offhand way and said that I tell people, "If you won't sell us your land, then we will take it." I point out that I am never involved in the personal negotiations for a property unless it gets to the stage of a "Riversleigh", in which case the Government is going crawling on its belly to someone to say, "You have a pearl of Queensland and here is an offer." I have been doing that to that man for the last six months. The department has negotiated for two years. I do not know where the honourable member's comments come from. The only person with whom I would deal in an offhand manner is the honourable member for Sherwood.

Motion agreed to.

PARLIAMENTARY AMNESTY GROUP

Human Rights Violations, Mexico

Ms SPENCE (Mount Gravatt) (8 p.m.), by leave, without notice: I move—

"That this House, while welcoming the increase in trade and cultural links between Mexico and Australia which can only be beneficial to the countries of the Pacific Rim—

(1) condemns the persistent use of torture in Mexico and the impunity accorded to the perpetrators of torture, as outlined by Amnesty in its latest report;

(2) calls on the Mexican Government to implement Amnesty's 16 measures to fulfil its obligations under the United Nations Convention against torture and other cruel, inhuman or degrading treatment or punishment to which Mexico is a state party; and

(3) urges the Australian Federal Government to pass these concerns to the Mexican Government through bilateral and multilateral diplomatic channels on a systematic basis."

Mr Speaker, there are many who might well ask why the Parliamentary Amnesty Group is moving a motion on human rights abuses in Mexico when the deplorable situation in East Timor is so much on our minds. In September, Amnesty International launched a worldwide campaign to halt the daily occurrence of torture in Mexican prisons, and particularly calls on the Australian Government to use its trade relations to bring pressure on the Mexican Government. The Parliamentary Amnesty Group is pleased to lend support to this campaign.

In September, our group was privileged to hear from Mr Frederick Simmonds, a 67 year old Anglo-American who has seen and experienced torture at first-hand. Mr Simmonds was held in a Mexican prison for over one year. He was repeatedly tortured to extract a confession to drug charges, and he witnessed the torture of fellow inmates. He was subsequently released, free of all charges. Mr Simmonds' impassioned and heartfelt sharing of his experiences gave our Amnesty group the will to enthusiastically join the Mexican campaign. I have here a petition that we will be forwarding to the Mexican Ambassador, His Excellency Mr Alejandro Morales, condemning the institutionalised torture used in Mexico, and calling on the Mexican Government to show the political will to end the impunity of the law enforcement officials responsible for these horrendous practices. The petition has been signed by 40 members of this Parliament, and I invite other members to lend their support to our campaign by adding their signatures.

In Mexico, anyone arrested is at risk from the minute that he is picked up by the police or the army. This terrible pattern of violations clearly contradicts the Government's repeatedly stressed commitment to human rights. Within the past two years, Amnesty International has received reports about hundreds of cases of torture, including many where the victims died. In recent years, the Mexican Government has embarked on a vigorous program to clean up its international reputation and to attract both foreign investment and aid. However, if the Mexican Government is truly to become a member of the international trading community, it must show the political will to end the practice of torture in its prisons.

This motion this evening is being supported by all political parties. My Amnesty colleagues will go on to highlight the Mexican situation. However, I would like to take a minute to commend the thousands of Amnesty International members in this State who take up individual cases of victims of human rights abuses throughout the world; who

mobilise public opinion; and who maintain pressure on Governments for the release of prisoners of conscience, fair and prompt trials for political prisoners and an end to torture and execution.

Amnesty International in Queensland is about to lose its most effective and dedicated worker, Mr David George, who will be retiring this month. David helped us form the Parliamentary Amnesty Group, and he has maintained close contact with us ever since. We will miss his wise counsel and friendship, and we wish him well. I believe that it is very fitting that this Parliament take this time at the end of the parliamentary session to put aside its political differences and reflect on human rights abuses generally. I have faith that the Mexican Government will reflect on the sentiments expressed here tonight.

Mr J. H. SULLIVAN (Glass House) (8.05 p.m.): I am very pleased to rise to second the motion moved by the honourable member for Mount Gravatt. In doing so, I pay tribute to my friend and colleague the honourable member for Pine Rivers who, if it were not the misfortune of suffering from laryngitis this evening, would have had the honour of seconding this motion. I point out to the House that it was an Amnesty International delegation which, after a visit to Mexico between May and June 1990 in order to assess continuing reports of human rights violations by members of the Mexican law enforcement agencies and armed forces, reported to the world about the examples and instances of torture occurring in that country. This was notwithstanding the fact that, during 1989 and early 1990, the Mexican Government had issued a series of official statements prohibiting torture. The Amnesty delegation interviewed dozens of people who had suffered or witnessed human rights violations: harassment, illegal detention, ill-treatment, arbitrary killings, extrajudicial executions, "disappearances" and, principally, torture.

In addition to Amnesty International's own research, investigative work by independent human rights monitors in Mexico and by other international human rights organisations has also provided evidence that torture is widespread. In fact, in July last year, the Campeche State Bar Association told the press that 99 per cent of criminal suspects detained in the State were tortured or ill-treated. It was stated that torture was used regularly to obtain confessions, and that the authorities were usually unresponsive to allegations that criminal defendants had confessed under duress. Growing public awareness of human rights issues in Mexico has stimulated the creation of independent organisations dedicated to the protection and promotion of human rights. In many Mexican States, particularly in the remote rural areas, these organisations are the most important source of information about human rights violations. In addition, independent human rights organisations have played an important role in helping victims in their search for redress. The victims of torture are not limited to specific sectors of the population. They include people detained for political reasons or in the context of land disputes; human rights activists and those trying to investigate human rights abuses; people suspected of growing or trafficking in drugs; and people detained on suspicion of having carried out other criminal offences. Women and children have been tortured.

Police officers have detained and tortured members of other police units and prison guards. Even a prison director is reported to have been tortured. The same methods of torture are used throughout Mexico, and in many of the cases reported to Amnesty International, they have proved fatal. Torture is widespread, yet it is absolutely prohibited whatever the circumstances by Mexican law and by international human rights standards that the Government has sworn to uphold. Amnesty International believes that the principal reason why torture continues to be widespread is the effective immunity from prosecution extended to law enforcement agents who commit the crime of torture. Hundreds of cases of torture by law enforcement agents, principally members of the Federal and State police forces, have been reported to official bodies, independent human rights groups and Amnesty International in recent years. Many of the cases are well documented with testimonial, medical and forensic evidence, but those responsible have seldom been investigated and even more rarely prosecuted for the crime of torture.

The continuing and widespread use of torture, despite its prohibition at the highest levels of Government, must call into question the political will behind the Government's public commitment to end torture. Although Amnesty International welcomes the steps that the Mexican Government has taken to address this issue, those measures have failed to stop the practice of torture and ill treatment in Mexico. Those responsible continue to benefit from impunity. The victims of torture in Mexico come from most walks of life but are usually from the poorest sections of the population. Most of the victims are men but, as I have said, women and children have also been brutally tortured. People are most frequently tortured to force them to confess to criminal charges. People have been tortured also to deter them from pursuing complaints against the police, to make them give information about suspects and, in some cases, to extort money from them. Such torture reportedly often begins at the moment of arrest and is a routine accompaniment to interrogation, during which detainees are usually held incommunicado. Torture usually continues until a confession has been extracted from the detainee.

To those of us living in the Lucky Country, such stories as have emanated from Mexico during the past five years have no place in the twentieth century. Most of us cannot grasp and accept the fact that such stories of torture—more suited to the Dark Ages—are fact, not fiction, and we cannot comprehend that modern society can accept such happenings. But they do occur—not only in Mexico but also in other countries. Amnesty International's net knows no barriers. In Mexico, for example, there have been frequent reports of the torture of indigenous people and particularly of leading members of indigenous organisations. Imagine the uproar in our country if such was the experience of our indigenous people. It is important that all honourable members present tonight vote with one voice to let the Federal Government know that we do not, cannot and will not accept such treatment of our brothers and sisters in Mexico. I urge all honourable members to support the motion.

Mr GILMORE (Tablelands) (8.11 p.m.): I rise tonight to add the voice of the Opposition in support of the motion before the Parliament. The motion urges Mexico to adopt the 16 measures that were recommended by Amnesty International to bring human rights in that country into line with the United Nations convention against torture and other cruel, inhumane or degrading treatment or punishment. Tonight, we speak of a most distasteful subject, that being man's inhumanity to man. We speak of the implementation of policy by fear, the control of people by fear. We speak of Governments that are so afraid of their own people that they have to rule them by fear, by torture, and by other measures that are so despicable to the average, modern man that they must be spoken of in the Queensland Parliament in an attempt to bring a Government so far away into line with that which is acceptable to modern, civilised man.

I wonder why Governments are so afraid of their people that they must rule by fear. It is interesting that, in the past 12 months, we have seen the failure of so many eastern European Governments that have ruled by fear for some 70 years. Those Governments ultimately fail because of the human spirit and the way in which man has rallied to his own cause. People have supported themselves and decided that they have had enough. I suggest that the motion before the Parliament may be just a beginning, when the people of Mexico may well have had enough. I trust that this motion will be forwarded to the Australian Parliament and it will be driven very firmly home to the people of Mexico that we are in support of the rights of a democratic people.

As was mentioned a few moments ago by the honourable member for Glass House, human rights violations take many forms in many parts of the world. There are many fearful Governments around the world. Tonight, I refer briefly to an article in today's newspaper in respect of a person who had been held hostage in Lebanon for a number of years. The article states—

> "Mr Cicippio, 61, emerged from five years as captive of Lebanese kidnappers with permanent frostbite to his hands and feet from two winters of exposure, a dent in his skull and recurring dizzy spells . . ."

Interestingly enough, the torture that that gentleman endured was inflicted on the other side of the world from Mexico. However, it is a contemporary view of the kinds of things that happen in this world today—torture and violence. These people say, "How else can we control this world? How else can we get our view across?" Of course, there is no end and there is no future for people who are so afraid that they must torture and indulge in violent extremes against their own people and against the other peoples of the world whom they take by way of kidnap and terrorise in an attempt to get their message across.

I trust that the debate this evening will get the message across to the rest of the world that this State of Queensland puts great virtue in debate and in the fact that we as a democratic community stand together in this Parliament regardless of our philosophical point of view. We stand together; we argue the point of view; we vote; and we go on with the rest of our lives. We do not need to indulge in the process of pulling out each other's toe nails so that we can get our own way and control the people. It is with those few words that once again I add the voice of the Opposition in support of this motion before the Parliament and trust that it will be forwarded not only to the Australian Parliament, but also to international forums and ultimately will have some effect on those people in Mexico who have so offended the people of the world and the people involved in Amnesty International that they have forced us into a position where we must speak in this public forum and express our horror at the things they do to their own people.

Mr PITT (Mulgrave) (8.16 p.m.): I regard it as a privilege to be able to add my voice in support of the motion before the House which condemns the ongoing human rights abuses in Mexico. In recent weeks the attention of the world, and most particularly the Australian media, has been focused quite firmly on the events in East Timor. The massacre of innocent protesters and the subsequent attempts to cover up the extent of the slaughter by the killing of eyewitnesses is deplorable and requires this country to stand up and be counted on the issue.

As distasteful as we may find the events in East Timor, I urge honourable members not to lose sight of the fact that human rights abuses in many parts of the world, whilst being less visible, are nonetheless just as despicable. Torture, as perpetrated by law enforcement agents in Mexico, is not something that has emerged in recent years, but has become an entrenched and sadly acceptable adjunct to law enforcement in that country over a long period. It was not until 1985 that the world community really came to grips with the depth of the problem when the Mexican Government faced public outrage after an earthquake which caused extensive damage to the nation's capital and subsequent loss of life. This natural disaster literally unearthed the evidence when the headquarters of the Attorney-General of the Federal District Office was destroyed and emergency workers discovered a number of dead bodies, each showing signs of torture. This grisly find served to prove what many had suspected for a number of years—that the Mexican Government had in effect been turning a blind eye to the activities of unsavoury elements ostensibly charged with discharging the law.

A series of measures were adopted by the Government of the day. They included the ratification of the United Nations convention against torture and other cruel, inhuman or degrading treatment or punishment. To support this measure, the Mexican Congress also approved the Federal law to prevent and punish torture which specifically addressed the issue of torture by law enforcement agents and established torture as a crime punishable by imprisonment. These measures were fine in principle, but the continuing reports of human rights abuses in that country indicated that the rhetoric was not being matched by action. Even the election of a reformist Government headed by Carlos Salinas did not see Mexican authorities seriously tackle the problem, which by now had become firmly entrenched. Whilst torture is absolutely prohibited by national and international law, it continues unabated in Mexico. Its victims cannot be clearly identified as belonging to any particular sector of the population of that country. Political prisoners, human rights activists, those suspected of involvement in the drug trade, persons engaged in land disputes and even other police officers and prison officials are just as likely to join the list

of the abused. It appears that no-one in Mexico is immune—torture has become legitimised.

Amnesty International believes that the principal reason why this situation continues is directly related to the effective immunity from prosecution that is afforded to those members of law enforcement agencies who are guilty of this vile practice. The work of Amnesty is not always appreciated as having an impact, but I can assure members of this House that their efforts in respect of Mexico have not been in vain. In February this year a series of reforms were introduced to the Federal Code of Penal Proceedings and to the Penal Code for the Federal District. These measures limit the role of the police in questioning defendants. They stipulate the provision of interpreters for non-Spanish speaking defendants and they reinforce the reform of arbitrary arrest and incommunicado detention of suspects.

Quite significantly, the measures also limit the value of confessions as evidence in the courts by insisting that such confessions need to be made in the presence of defence counsel and before the Public Ministry or the courts. These measures are very welcome, but they are no real guarantee against torture and coercion. Recent evidence will suggest that even under the new rules many confessions are just as flawed because, during the first stages of detention, police had tortured suspects or threatened reprisals against them or their relatives unless the official confession was delivered in a more public forum than was actually agreed to at the time. More frightening is the frequently reported role of Public Ministry officers themselves who actually condone the torture or ill treatment of detainees.

In February 1989, the General Human Rights Directorate was set up within the Mexican Interior Ministry. One of the designated functions of the directorate was to receive complaints of human rights abuses and to make recommendations for their investigation and prevention to the relevant authorities. Like all other official measures, the directorate has had limited success. However, its formation and that of the National Human Rights Commission one year later are official recognition that Mexico is under internal and external pressure to address these problems. In other words, the work of Amnesty and like-minded groups is having an effect. As I said before, though, words are largely unmatched by deeds. In June 1990 President Salinas proclaimed—

> "Things are going to change in Mexico. We shall confront the new threats to human rights from wherever they come. The new social will and the aim of the reformed State is to adhere to the law. Let there be no doubt: the political line of the Government of the Republic is to defend human rights and punish those who would violate them; it is to end once and for all any kind of impunity. The Government does not condone any violation of the guarantees enshrined in the Constitution."

The creation of the commission is welcomed, but there is growing concern that it is not in truth an independent body and it has not been provided with full investigatory powers with which to properly discharge its charter. In its first report, the commission listed that it had collected information on over 1 000 complaints of torture and recommended prosecution in 33 cases. In not one of those cases has a conviction been obtained, even when the commission's investigation yielded substantial evidence of the involvement of individual police officers in torture, ill treatment and other human rights violations.

Mr J. N. GOSS (Aspley) (8.23 p.m.): Very few of us know much about Mexico, but perhaps a statement that sums it up is, "Poor Mexico, so far from God and so close to the United States!" They are not my words. A former dictator of Mexico, Porfirio Diaz, said that. Mexico became independent in 1821 after 300 years of Spanish rule. In 1876, Porfirio Diaz seized Mexico and ruled Mexico as a virtual dictator for more than 30 years. During that period, poverty and dissatisfaction led to the Mexican Revolution which occurred in 1910. It was the first revolution of the century and the first Latin American revolution that swept a Government into power by support of the masses. Since then,

Mexico has not improved its standing in the world because presently it is a country beleaguered by high inflation and massive international debt. The president of the national Human Rights Commission has said that the police officers who engage in torture are neither sadists nor deranged. They are convinced that they are doing their duty. Apparently, they have the belief that whatever they do is for the good of their country. Moreover, they know that even when they exceed their role—even to the point of homicide—they will not be punished because their chiefs will defend them or cover up for them. It is a very sad day when the law enforcement agency of a nation gets to the stage where the police can almost openly torture and kill people, and that type of conduct becomes accepted.

In June 1990, the Mexican Government took a national initiative over the issue of human rights abuses. The national Human Rights Commission was created by the president and, although investigations have been carried out, it seems that very few people have actually been convicted of torture. There have been cases where senior police officers have been arrested, but after a period of 18 months elapses, no further action is taken and the police are free to go about their business. It is probably the case that the people of Australia cannot comprehend that these violations occur. Amnesty International's delegation visited Mexico in mid-1990 and assessed the human rights violations that have been reported. Of course, although Mexico has ratified the convention against torture and the president has issued public statements on a number of occasions prohibiting torture, it continues. It is only bodies such as this Parliament and Parliaments throughout the world that can put pressure on a country such as Mexico to bring about a new era for average people. The Liberal Party is honoured to support this motion.

Mr ARDILL (Salisbury) (8.27 p.m.): Without Amnesty International, very few members present in this Chamber tonight would know anything at all about the problems in Mexico. It is quite a shame that torture goes on, but it is wonderful that an organisation such as Amnesty International uncovers malpractice and tragedy in the world and advises the whole human community of what is going on in particular countries. The Mexican Government of Salinas was elected in December 1988 on a policy of law and order—and, of course, we have heard that before. However, that Government did some good work and 30 per cent of the State Police Force was dismissed because of those officers' involvement in torture, malpractice and the drug trade. The new Government actually arrested the chief of the security police, Antonio Zorilla, and charged him with the murder of a journalist who was investigating occurrences in Mexico at that time. Other than that, the Government has not progressed very far with its reforms; in fact, it seems to have totally bogged down.

Tonight, I principally want to address my remarks to one problem in particular. Apparently, there are certain factors in the Mexican system that allow malpractice to flourish. The worst feature of the system is the combination of many areas of government and the vesting of a great deal of power in one person. I believe that even our civil libertarian Attorney-General—who is noted for his concern for the human race—and the shadow Minister for Justice would be sorely tempted if they had the powers that have been granted to the Attorney-General in Mexico and to the 31 Attorneys-General in the smaller States. Under those Attorneys-General, all of the powers relating to criminal law that are presently known in Queensland and in other parts of the world and which are referred to as Attorney-General's powers come under the jurisdiction of the Mexican Attorney-General, in addition to the Department of Justice, the appointment of judges, the control of legislation concerning judges, the police force and even the forensic pathologists, scientists and doctors involved in criminal investigations. This means that nobody is checking on this person, which is the principal reason why the problem of torture exists there. Under the Mexican system, each time an investigation is carried out, it all ends up back on the table of the one Attorney-General. The police force is considered to be an auxiliary body, particularly the security police who are the principal people

involved in the organisation of torture. However, it devolves right down the line and people right at the lower end of the police force, and other officials, are all involved in what they consider to be acceptable practice. Unless the rest of the world in no uncertain terms tells these people that this is unacceptable practice, it would appear that this is going to continue.

In Mexico, there are constitutional safeguards, but they are all ignored. As I have said, the reason for this is probably the fact that so much power resides in the hands of the one Attorney-General. People are continually detained without warrants and continually kept incommunicado for long periods of time. All of this is against the Constitution of Mexico, but nothing is done about it. Nothing will be done unless the people of other countries bring to the attention of the Mexican Government that there is a need for reform.

It is all very well to talk about law and order, but law and order in Mexico seems to be at the expense of ordinary people who can be picked up without having done anything wrong at all and brought in for questioning. In some cases, there is a reason for it. In others—and there is documentary evidence to support this—it is simply to placate the United States anti-drug campaign. The US Government asked the Mexican Government to do something about drug smuggling across the border. Unfortunately, the Mexican Government passed this matter on to the Attorney-General. People were plucked at random from the streets, put into prison and tortured until they confessed to drug-related crimes. Nobody is supposed to be kept in prison for more than 48 hours, yet that law is ignored. Confessions are given legal precedence over subsequent contradictory statements by the defendants. Usually, the judges ignore subsequent statements and accept as prime evidence a signed confession, despite the fact that further evidence can be given that the confession was obtained not only under duress but also as a result of torture. Some of the types of torture that are imposed upon the people in that particular country do not bear thinking about. Considerable use is made of electric shocks. As I said, I will not go into the details of the types of torture that are carried out in that country. The judges consistently ignore medical evidence produced to prove that torture has taken place. They routinely ignore this sort of thing. That is the reason why torture flourishes so well in that country.

There have been numerous documented examples of people who have been arrested. Complaints have been made by their families, yet no action has been taken at either the judicial level or at the Government level. In one case, a number of ordinary citizens were arrested. The Government decided that it wanted a confession from them for drug dealing. These people were taken to a deserted beach called Miramar. Not only were they kicked and beaten, and subjected to electric shocks and near-asphyxiation by submersion in the sea, but also one of the victims was drowned. Subsequently, the family of the victim demanded that action be taken and that the body be exhumed for further checks to be made. In fact, it was discovered that both the heart and the lungs were missing from the body.

Mr Lingard: Come on, Lennie. Sit down and make everyone happy.

Mr ARDILL: Everyone thanks the honourable member, except the people of Mexico. I could go on with quite a lot more, but obviously it is Christmas. I will not table the material. I think that enough has been said tonight. I believe that this motion should be carried, and I endorse it.

Motion agreed to.

SPECIAL ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (8.37 p.m.): I move—

"That the House, at its rising, do adjourn until 10 o'clock a.m. on a date to be fixed by Mr Speaker in consultation with the Government of this State."

VALEDICTORY

Hon. W. K. GOSS (Logan—Premier, Minister for Economic and Trade Development and Minister for the Arts) (8.37 p.m.): At the close of the second year of the 46th Parliament, I take this opportunity to extend my personal good wishes for a happy and safe Christmas and a relaxing break to all members. Mr Speaker, I would like to thank the usual list of suspects for their support, assistance and contribution throughout the year starting, of course, with your good self. This year you have again shown the same wisdom, patience, tolerance and perceptiveness in your rulings and in your dealings with members of the House, both in this Chamber and outside, as we have come to expect. I would also like to thank the Chairman of Committees and the Temporary Chairpersons from each party who have supported you and assisted the House throughout the year.

I also thank the Leader of the House, Mr Mackenroth, for his efforts in making sure that the House ran smoothly and for his generous dispensation of leave to myself. Of course, he could not do his job without the cooperation of the people in the Opposition and the Liberal Party who coordinate with him on behalf of their parties, and I offer my thanks to them as well.

To the Government Whip and the Government Deputy Whip—the charm school—I offer my thanks for their efforts. Being another caucus member who does what he is told, I lavish praise on the Deputy Whip in particular and I take this opportunity to congratulate him on his publishing efforts and his very promising move into designer T-shirts for members.

I would also like to thank the Clerk of the Parliament for his assistance. For the record, I formally congratulate Mr Doyle on his appointment to the position of Clerk of the Parliament.

Honourable members: Hear, hear!

Mr W. K. GOSS: Of course. He served us here very well for many years, and it is fitting that he has won promotion to the position. We offer him our congratulations and our thanks.

I should also like to acknowledge the work and the contribution over a very long time of Mr Alan Woodward, his predecessor, who gave similar loyal and professional service, and showed great Sphinx-like patience over the seven or eight years that I have been here with him.

My thanks to the Acting Deputy Clerk, Mr Thompson, the Sergeant-at-Arms, Doug Randle, the Table staff, the Clerk of Papers and, of course, Dick Ford and the other parliamentary attendants for their prompt and courteous attention to our needs and to the general business of the Parliament, and the premises.

Above us, of course, I thank Alan Watson and the Hansard staff.

Honourable members: Hear, hear!

Mr W. K. GOSS: Side by side with them, our thanks and good wishes to the parliamentary press gallery or, depending on one's view, the various sections of the parliamentary press gallery. I would like to thank particularly those who were able to accurately report the Government this year and I hope that they encourage the rest to follow their good example.

Mr Foley: Both of them deserve congratulations.

Mr W. K. GOSS: Yes. I would also like to thank particularly my deputy, Tom Burns, for his work not only in the Parliament but behind the scenes where he has provided invaluable support to myself, Cabinet colleagues and caucus members as well.

I extend my thanks to the Leader of the Opposition, to Mr Beanland and to Mrs Sheldon for their assistance. It is important in the conduct of the business of the House and the affairs of members for the leaders of the respective parties to work in a cooperative fashion. I am pleased that we have been able to do that on a number of occasions, and I hope and trust that that situation will continue.

Any expression of gratitude would not be complete without dealing with many people outside and in the immediate vicinity of the Chamber whose role is also important. I thank the members of the Parliamentary Services Commission from all three parties. I thank the Parliamentary Counsel, Mr Leahy, and his staff. I think they have performed an admirable job this year and, if I can say so with respect, the improvement and reform in the drafting of legislation have been quite marked, and it is a credit to that office.

I would also like to nominate the parliamentary committees—Public Accounts, Public Works, EARC, CJC, Privileges, Standing Orders, Subordinate Legislation, Travelsafe, Library, Printing, Building and Catering, Ambulance and any more that I have forgotten. In past years, committees have not played as substantial a role as they have over the last year or so. I know that it is a substantial additional burden for the members who participate in those committees but this institution is a better place for the work they do, and I thank members for their work on those committees.

I also thank Mr Bob Fick, the Director of Corporate Services, and the staff in accounts and administration; Nick Bannenberg and the library staff; Rex Klein, the acting Clerk-Assistant of Committees, and the various committee support staff who also work very hard; and Mr Andrew Coley, the catering manager, and all of the staff involved in the dining and cafeteria operations of the Parliament. Their ever cheerful, courteous and prompt attention to our needs is much appreciated as, I am sure, is the healthier menu over the last year or so. Mr Milliner has noticed it—not that we have noticed any manifestation in Mr Milliner. I also thank the security staff and police who perform an essential but low-key role; Mr Don Duncanson and the building staff, the maintenance and cleaning staff, and the gardeners and other ground staff who keep the premises and gardens in Parliament House in such fine condition.

I would like to thank my own staff, especially Hazel, Joe, John, Jackie, Claire and Maurie for keeping me on the track and on the strait and narrow most of the time. I would like to thank my departmental staff for their valuable support. Last, but not least, on behalf of all members—certainly on my own behalf—I express appreciation for and acknowledge the role, the contribution and the burden shouldered by our spouses and our families. We are all aware of the burden that they carry and, perhaps on days like today, we are more keenly aware of that than we are on other occasions. The important thing that we recall in relation to our spouses and families is what is not generally realised, that is, that they do, in most if not all cases, carry a substantial and often unseen and largely unappreciated burden for which there is no recompense and for which they seek no recompense but which is invaluable for all of us. I certainly know it is invaluable in my case.

In conclusion, Mr Speaker, I wish you and all members of this House a safe and happy Christmas and a very relaxing break. I think we will all need it, because next year will be another good one.

Mr COOPER (Roma—Leader of the Opposition) (8.45 p.m.): I endorse the remarks of the Premier. On behalf of the National Party Opposition, I certainly welcome this opportunity to participate in this Special Adjournment debate. We are now two years into the Forty-sixth Parliament and, with 12 months, or possibly less, to run to the next State election, no doubt 1992 will be an interesting year. We on this side of the House feel that the time has passed quickly, so Government members will most certainly be excused for wondering where the first two years of their term has gone. It is traditional at this time to express good wishes for the Christmas season and the new year, and I do that on behalf of the National Party.

As the Premier has pointed out, there is an opportunity in the next few months to have a break before we get back into the fray. I think all of us need to move off and recharge our batteries, because 1992 will most certainly be a big year. It could possibly be even busier than the one we have just been through.

At the outset, I would like to pay tribute to my party colleagues for their hard work and their dedication throughout the year. I pay tribute to my deputy leader, Rob Borbidge. I pay tribute to my shadow Ministers and the backbenchers of the National Party. I pay tribute to the Whips, Don Neal and Lawrence Springborg. I pay tribute to the leader of Opposition business in the House, Kev Lingard.

As I said last year, the first year that we had experienced in Opposition for 32 years certainly was a tremendous learning curve. I think we can look back on a year of achievement. We note the results in the March referendum on four-year terms. We note the results in the Toowoomba South by-election, and the advent of Mike Horan to this House. We also note the finalisation of the EARC review of new electorate boundaries, and that the principle of weightage has been upheld. I think that was a major factor this year.

Also, Mr Speaker, it was the year of my very first junket—dare I put it that way! I have never had an official trip overseas in my life. I pay tribute to the Premier for recognising the need for Opposition Leaders to have such a trip to broaden their knowledge. It was certainly a most worthwhile trip, and while on a day like today it may not be politic to mention it, I do, because it was something that I recognised as being of immense value. I gained a much wider perspective of the problems around the world as they relate to this place.

I would also like to reiterate the words of the Premier as far as you are concerned, Mr Speaker. I think it is most certainly a thankless task, and I know that we do not make it any easier. I guess we could look back over the year and say that sometimes we gave you a fairly rough time. Some would say that you gave us a fairly rough time. Let us say that the honours are even. I think at Christmas-time we can be thankful for the fact that we have survived, even though, as I said, we have had a few trips outside. They were not overseas trips, either! I think all members of this Parliament realise that it is up to us to do our best to maintain the traditions of the Westminster system, and we give you an assurance that we will try even harder next year. In the same breath, I must pay tribute to the Chairman of Committees. We, too, have had some rough times. Oh, brother! They have been rough! Nevertheless, I say again that we have survived. As to the panel of Temporary Chairmen—I think it has been a learning curve for some, but a well worthwhile learning curve. Those people have played their part admirably.

I, too, pass on compliments from this side of the House to the new Clerk of the Parliament, Robert Doyle, and congratulate him again on his appointment to that post, and also to our table staff in Doug Randle and Ian Thompson; to Barry Sanderson; to Brett Charlier; and I also include here Alan Woodward who served with us for the greater part of the year.

I also compliment the Hansard staff—to Alan Watson and his team—that vital function that they perform. We talk about bleary eyes. We might think we suffer a little from bleary eyes, but we must recognise that they serve even later into the night once this House has adjourned.

Honourable members: Hear, hear!

Mr COOPER: I also compliment Nick Bannenberg and his staff at the library. Most people seem to make reasonable use of the library. I guess that all of us must continue to learn to try to make better use of it. I think honourable members are making good use of the library. It is something we should not forget because it can help us immensely, I believe, in the preparation of speeches and the ability to take part constructively in debate on legislation. We must not forget the people in the library.

Again I mention the catering staff. They also are up long after we have gone to bed. I also mention the security personnel, the gardeners, the attendants and Mr Dick Ford. They serve us apolitically, and that is as it should be. We appreciate the fact that they are always there when they are needed. It is the combined efforts of all of those people that ensures that the institution of Parliament continues on a high plane, despite the difficulties that sometimes arise. Some of the things we have seen during the year include the recent EARC report, which recommended changes to questions on notice. I think that a lot of those changes will be well worth consideration by all members of the House in order to improve our operations.

Without wishing to take up too much time of the House, I will make a few observations for all members to consider. As to the number of sitting days—this calendar year, Parliament sat for 52 days, which is fairly typical of the number of sitting days for much of the past 20 years. For example, in 1988-89 we sat for 50 days; in 1987-88 it was 62; in 1981-82 it was 74; in 1975-76 it was 65; and in 1970-71 it was 78. Despite efforts to expedite questions by putting them on notice, it continually seems to be more difficult for all members of the House to get opportunities to ask questions. We are investigating the matter and trying to improve it. This calendar year, 125 questions on notice and 660 questions without notice were asked during question-time, an average of just over 15 questions per sitting day, which means that about eight members get a chance to ask a question on any sitting day. In a Parliament of 89 members, I think we would all agree that that is not quite acceptable and that it should be improved. In 1990-91, the combined daily average number of questions asked was 17; in 1988-89 it was 21; in 1985-86 it was 19; and in 1973-74 it was 36. An interesting point is that, from the mid-1980s, emphasis has swung from questions on notice to questions without notice. I guess that provides an opportunity for the Opposition to see how the Ministers perform and to put them at risk of exposure; and, similarly, for members of the Government to be able to have their questions dealt with more openly than merely reading them after they have been tabled. As well, the imposition of the allotted days to accommodate the extended Estimates debate curtails opportunities to ask questions. We should attempt to strike a better balance in that area. I concur with the idea to have all departmental Estimates debated.

We are aiming to make question-time a bit more effective and we need to look at streamlining questions on notice. It would help, perhaps, if Ministers were to give more concise answers to questions without notice. I know that it is not always easy; nevertheless, I put that forward as an observation. As well, we need to look at the hours that this House sits. We recall various promises that have been made in the past by the present Government about having no late-night sittings. I think that now members opposite would realise that it is easy to make that promise but most difficult to implement it. I think that both sides recognise that there are great difficulties there—although I guess we have only ourselves to blame for our bleary eyes. Despite the good intentions, the daily demands of the parliamentary and Government workload often lead to a crammed legislative schedule which leaves us, as I said, a little bleary-eyed.

Without taking up further time of the House, I again endorse the remarks made by the Premier to all the people who have served us well throughout the year. I wish the Government Printer a happy Christmas. To my personal staff, who have served the National Party Opposition well throughout the year—I thank them sincerely and wish them a happy Christmas. I extend that wish to all members of the Parliament and their families. To reiterate the words of the Premier, we all consider our own families, but it is nice to be able to say a big “Thank you” to them when the opportunity arises, which I do. I wish everyone a very happy Christmas and I look forward to 1992.

Mrs SHELDON (Landsborough—Leader of the Liberal Party) (8.57 p.m.): On behalf of the parliamentary Liberal Party, I would also like to make a few comments. This year has been a very busy one. However, I think I speak on behalf of everyone here when I say that it has been a great honour to have been given the opportunity to represent the people of Queensland in this place. I am particularly proud to be the first woman to lead a

political party in this Parliament. As we get ready to go home to our families, we are understandably full of good cheer. There are, however, a few sobering points I would like to make. John Howard once said that in Australia there is more that unites us than divides us in politics. I agree with that. When I contemplate the polarisation of politics that occurs in many countries ranging from Burma to the USSR, I realise that I am proud to serve in the Forty-sixth Parliament of Queensland. Australia has one of the longest continuous histories of parliamentary democracy in the world. International events of the last few years have shown how powerful the desire is within men and women for democracy and freedom. I think that many people in Australia take our freedom for granted. There are many people around the world who will be spending Christmas in prison because of their political beliefs. Thousands of those people have done no more than advocate democracy.

Unfortunately, many Queenslanders have lost faith in our political institutions. This loss of respect is not something that is unique to Queensland. Research shows that Australians in all States are disillusioned with the political system. It is the responsibility of each of us here to help restore the respect and faith of the people for this institution. This year has been a very difficult one for many Queenslanders. We are in the midst of arguably the worst recession since the 1930s, and this Christmas will be the bleakest ever for thousands of Queenslanders. I think that all of us here should think about this as we return to our homes and families. As elected representatives of the people, we have a responsibility to create the economic environment which enables growth and prosperity. To a certain extent, we must admit that in recent years we have all failed.

Next year will be one of the many challenges for us here, and I look forward to the resumption of Parliament. I would like to thank the many people in this building and elsewhere who literally keep the machinery of Government working. All of us owe them a great deal of gratitude. Our tasks, either as a member of the Government or as a member of one of the opposition parties, would be so much more difficult if it was not for the professionalism and goodwill of the hundreds of people who work in this building. I would particularly like to thank you, Mr Speaker, and the Chairman of Committees for your difficult task in trying to maintain dignity and order in this place. Our gratitude also goes to your staff. I would like to officially congratulate the Clerk, Mr Robert Doyle, on his appointment, and also to pay homage to Alan Woodward, who, I think, served this House with great distinction. His staff cannot be overlooked, because they have to withstand pressure from all political parties. I think that it is a great credit to the Clerk and the staff of his office that they have at all times fulfilled their responsibilities without fear or favour.

Without the tireless efforts of Alan Watson and the Hansard reporters to diligently record everything that is said in this place, we would never know what we said to each other in our “friendly” deliberations. Sometimes when I read the *Hansard* I am convinced that the Hansard reporters have assisted some of us in making our ramblings legible. My best wishes also go to the Government Printer’s staff, who quite frequently have to produce documents and meet what seem like impossible deadlines. Nick Bannenberg and his staff in the library have always managed to provide an outstanding service to the Parliament. Our urgent requests are met with obliging, speedy delivery of documents that I am sure must confirm their deepest suspicions of our mental well-being. Of course, the people who really do keep this place moving are the parliamentary attendants. On behalf of my colleagues, I wish you and yours a joyful Christmas. Without the dedication of the catering staff, we would all suffer enormously. I think I might suffer from having a little too much. And, of course, the enthusiasm of the cleaning and maintenance staff as well as the gardeners is the primary reason that we have arguably the most beautiful Parliament in Australia.

All parliamentarians, not least me, owe a great deal to our personal staff. They are the people who have to deal with our bad moods and unreasonable demands, but somehow they always deliver. I would also like to express my thanks to the men and women of the parliamentary press gallery. They play a very important role in our

democracy. I am pleased that all of them handle their job with a great deal of responsibility.

Finally, I would like to extend my best wishes to the long-suffering husbands, wives and children of those of us who have chosen public office. We all know how much is expected of a family of a parliamentarian and very rarely do we get an opportunity to thank them for their support and assistance. I know that without the loving support of my husband, John, and my three sons, David, Richard and Adrian, I would not be able to serve the people of Queensland to the best of my ability. I wish everyone associated with the Parliament a safe and happy Christmas.

Mr SPEAKER: Order! Honourable members, I may surprise you tonight, but I intend to be quite brief. The Premier has adequately covered the work and the worth of the staff who service the Parliament and thanked them. I join him and other members in passing that thanks on to them.

I do want to briefly restate what I said when I made my valedictory speech here in 1986 before I went away on sabbatical leave for three years. I said then that it was great that the staff outside of the Chamber were able to behave in a courteous and well-mannered way, and in a way that I thought was a credit to them and which brought great credit to the Parliament. I noted then that it was a pity that here inside the Chamber does not work with the same decorum and the same sense of dignity. I guess as Speaker I have found that one starts demanding higher standards because ultimately you do understand that you have the responsibility for maintaining dignity and authority in this place. I admit that sometimes it is very hard. Earlier on in my Speakership, I did think that I ought to do the exercise of working out—because I sit here and get quite bored—which members might require a bit of a brain transplant. On some days when I leave the Chamber I add a few names to the list. Just as important, of course, is the need to find out which members require heart transplants. I think that is a much more important criterion in this life. Of course, I am very careful when I do make these observations that, as a proper and impartial Speaker, I do not pass them on.

This is the second year of the Forty-sixth Parliament and I am its Speaker. I would like to thank the new Clerk, Mr Robert Doyle, and congratulate him, because this is the first opportunity that I have had to do that publicly. I also thank Ian Thompson and the rest of the Table staff. I also thank my personal staff. I thank Colin Schneider, who is sitting in the Chamber. Colin is my personal attendant. He definitely does not need to go to charm school. He treats my guests—and in fact everybody who comes in contact with him—with a smile and with, I think in many ways, very good humour. I thank Damien Glancy, my driver. As depressed as I get some days, he will always make me laugh. He is one of the most cheery people one could meet. I strongly recommend him as a driver. I also thank Marilyn Bell, my personal assistant, and Juliet Gardner, the executive secretary in my room. I am sure that all of my staff members would treat each and every one of you in the same way as they treat me.

It has been a long, hard year. When I became Speaker, I received a telegram from the members of the University Rugby Club. They were very upset that I had at last joined the ranks of the referees. I tried to convince myself to use the football analogy that if you are calling a game, you have to call it the way you see it. Sometimes you get it wrong, but if you try to call it any other way, you never get it right. I have tried to convince this Parliament that I have been that sort of a referee. There are days when I think I am foolish and naive to think that I could succeed in that, but I keep on keeping on.

I conclude by wishing you all a merry and holy Christmas, and to your families, your children and your friends, a peaceful and prosperous new year. Ultimately, I will be delighted if you join me in the function rooms as soon as we have passed the motion to adjourn the House. Thank you very much.

Motion agreed to.

The House adjourned at 9.07 p.m.