

THURSDAY, 26 AUGUST 1993

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

CRIMINAL JUSTICE COMMISSION**Report**

Mr SPEAKER: Order! Honourable members, I have to advise the House that today I received from the Chairman of the Criminal Justice Commission the report by the honourable W. J. Carter, QC, on his inquiry into the selection of the jury for the trial of Sir Johannes Bjelke-Petersen.

Ordered to be printed.

PETITIONS

The Clerk announced the receipt of the following petitions—

Kindergarten Funding

From **Mr Purcell** (33 signatories) praying that sufficient funds be provided in the 1993-94 Budget to enable State Education Department subsidies (SEDS) to continue to provide adequate funding for community kindergartens and that extra funding be also provided for the Creche and Kindergarten Association.

Similar petitions were received from **Dr Clark** (88 signatories) and **Mr Beanland** (68 signatories).

Fraser Island

From **Mr Nunn** (3 signatories) praying that the Parliament of Queensland will ensure that the draft management plan to close certain beaches and/or access roads on Fraser Island be discarded.

Noosa North Shore

From **Mr Davidson** (2 signatories) praying that the Parliament of Queensland will ensure that all of the beach on the Noosa north shore be kept open to vehicular traffic.

Cairns International Airport

From **Dr Clark** (13 signatories) praying that the expansion program for the Cairns International Airport be suspended until an independent study into alternative sites is

carried out and that in the interim a curfew apply between 11 p.m. and 6 a.m.

Education System

From **Mr Quinn** (75 signatories) praying that the parents of school children are consulted about proposed changes to the Queensland education system.

State School Funding

From **Ms Robson** (86 signatories) praying that the Parliament of Queensland will reconsider proposed cutbacks in State school funding.

Wet Tropics World Heritage Protection and Management Bill

From **Dr Clark** (1 211 signatories) praying that enactment of the Wet Tropics World Heritage Protection and Management Bill be withheld pending an urgent independent updating of the Wet Tropics World Heritage Area Management Scheme and clarification of native title.

Eagle Junction-Pinkenba Railway Services

From **Mr Santoro** (1 771 signatories) praying that the Minister for Transport will not continue with the proposed termination of passenger rail services along the Eagle Junction/Pinkenba railway line.

Petitions received.

STATUTORY INSTRUMENTS

In accordance with the schedule circulated by the Clerk to members in the Chamber, the following documents were tabled—

City of Brisbane Act—

Brisbane City Council (Approval of Ordinances) Notices (No. 6 and 7) 1993.

PAPERS

The following papers were laid on the table—

- (a) Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill)—

Regulating of the Driving Instruction Industry in Queensland—Issues Paper

Regulating of the Tow Truck Industry in Queensland—Issues Paper

- (b) Minister for Minerals and Energy—

Response to the Parliamentary Committee of Works Report of an inquiry into the Queensland Centre for Advanced Technologies.

MINISTERIAL STATEMENT

Review of Retail Shop Leases Act

Hon. J. P. ELDER (Capalaba— Minister for Business, Industry and Regional Development) (10.05 a.m.), by leave: In February of this year, I launched a review of the Retail Shop Leases Act with the publication of an Issues Paper and a call for public comment and wide consultation on matters under review. Consultation was widespread and included: the distribution of 1 500 copies of the Issues Paper throughout Queensland; the distribution of over 9 000 copies of a summary version of the Issues Paper through industry journals to interested individuals and organisations; the convening of four meetings of a key stakeholders advisory forum, with representatives from all key players in the retail shop lease area; and meetings at 12 regional centres throughout Queensland, which were well attended by parties interested in retail matters.

The response from interested parties has been encouraging, with 85 formal submissions being received, including major submissions from representative industry organisations. In addition, officers of my department undertook an extensive program of consultation and follow-up discussions with a wide range of stakeholders. The proposals outlined in the position paper indicate the preferred position of the Queensland Government. The publication of the position paper provides an opportunity for further comments from interested groups or individuals before the Government proceeds to introduce amending legislation. The position paper will be available for comment for a period of four weeks.

The approach adopted in the position paper represents a continuation and a further refinement of the basic philosophy underpinning the original Act. This philosophy seeks to establish the basic ground rules for retail shop leasing rather than taking a prescriptive regulatory approach. The approach also provides for a low-cost dispute resolution process for disputes between retail tenants and landlords. Many of the proposals put forward in the position paper reflect good management practices already in place in shopping centres where good landlord/tenant relationships exist.

Many of the proposals are already in place in similar or identical form in other Australian States. We have captured the best of these initiatives for incorporation in the Queensland legislation. It is the Government's intention to maintain the Queensland retail shop lease legislation as the best type in Australia. The proposals outlined in the position paper are directed at ensuring a better information disclosure regime between landlords and tenants, reducing uncertainty, improving accountability, removing inequitable practices and ensuring that disputes between parties can be resolved in a fair and cost-effective way.

In essence, the proposed changes affect two areas. The legislative provisions in relation to outgoing will be strengthened by tightening auditing provisions, enhancing information disclosure, restricting the types of outgoing that can be charged to tenants, and confirming the jurisdiction of the tribunal to hear disputes on outgoing. The rent review process will be strengthened by removing the inequitable practices of multiple rent review and ratchet clauses in leases, improving the market rent valuation process and confirming that disputes on rent reviews can be heard by the tribunal.

In addition, the informal mediation process will be extended so that landlords and tenants have the opportunity to solve their differences in a low-cost, informal forum instead of having to face an expensive legal proceeding. Various aspects of the mediation and tribunal process will be tidied up, including the prohibition of legal representation for disputes under \$5,000. I look forward to receiving constructive comments on those proposals from interested parties in the retail industry and from members of Parliament. I have pleasure in tabling the documents in Parliament today for the information of honourable members.

PRIVILEGE

Absence of Minister for Family Services and Aboriginal and Islander Affairs during Question Time

Mr BORBIDGE (Surfers Paradise— Leader of the Opposition) (10.08 a.m.): I rise on a matter of privilege. Mr Speaker, I would seek guidance from you or the acting Leader of the House. I refer to the absence of Ministers, in particular, the Minister for Family Services and Aboriginal and Islander Affairs. There may well be some reason why the Minister is not present in the House, but I ask: could we have the courtesy of an explanation,

because this week the Opposition has wanted to pursue major questions with the Minister, including matters of propriety, and she has not been present since Tuesday.

Hon. P. J. BRADY (Rockhampton—Minister for Police and Emergency Services) (10.09 a.m.): I inform the House that the Minister for Family Services and Aboriginal and Islander Affairs is absent because of an important ministerial council meeting in New Zealand.

Mr Borbidge: Overseas while Parliament is sitting!

Mr BRADY: In New Zealand. It is a ministerial council meeting. She is absent, therefore, on important ministerial business.

Mr Borbidge interjected.

Mr T. B. Sullivan interjected.

Mr SPEAKER: Order! The member for Chermside. Order! The Leader of the Opposition. Order! I warn the member for Chermside under Standing Order 123A.

QUESTIONS UPON NOTICE

1. Queensland Racing Incentive Scheme

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

“With reference to the nomination of yearlings to compete for \$1.5m in public funded added prize money under the QRIS Scheme—

- (1) Does any yearling auction sales company have exclusive access to the details of yearlings nominated under the QRIS Scheme?
- (2) If so, in the interests of fairness, will he ensure that details of nominations are made available to other yearling auction sales companies?
- (3) If not, will he advise how access to details is withheld from one company, Q Millions, when the principals of that company are also administering the QRIS Scheme through Q Promotions?”

Mr GIBBS: (1) In order to boost the Queensland thoroughbred industry, the Government has made \$1.5m available to add to stakes in races in which Queensland-bred two-year-old horses will compete. This system will commence in the 1994-95 racing season. For the scheme to operate, it is necessary to be able to identify a Queensland-bred horse. This is achieved by the breeder of the animal establishing its

credentials as a Q-bred by a registration system. The Queensland Bloodhorse Breeders Association—QBBA—has endorsed a company, Q Promotions Pty Ltd, to operate the registration system. The registration system will keep track of the animal's career, including any changes of ownership, during its racing career. The racing exploits of these animals will provide essential data to enable the QBBA to promote the Queensland breeding industry not only in this State but also nationally and internationally.

Yearlings nominated or registered to be QRIS eligible will carry the eligibility with them regardless—and I repeat “regardless”—of whether they are sold privately or through any yearling sales company. Q Promotions Pty Ltd will issue a QRIS qualified certificate which will be transferred with any ownership changes. Any yearling sales auction company which intends to sell an animal, the owners of which claim to be QRIS qualified, can verify this claim through the registrar of the QRIS registration program.

Any yearling sales company, or for that matter any organisation wishing to use QRIS eligibility or the QRIS scheme as a promotion or marketing tool for Queensland's breeding industry, should contact Q Promotions which will provide a bromide of the QRIS logo and ancillary information. My understanding is that Q Promotions intends to provide yearling sales companies with a bromide free of charge for use in yearling sales catalogues which contain lots which are QRIS qualified. The contact for information is: The Registrar, QRIS Registration Program, C/- Thompson Douglas and Company, Reserve Bank Building, Level 5, 102 Adelaide Street, Brisbane, Queensland, 4000.

(2) The fairness and integrity of the scheme is overseen by the Government's QRIS Committee, which will address any issues relating to the integrity of the scheme.

(3) That part of the question becomes irrelevant, considering the answer to the other two parts.

In conclusion, thus far, as the member would be aware, this scheme has been exceptionally well received within the racing industry. I simply say to the honourable member, “Get off the bandwagon. Stop carrying the bucket for a few disgruntled people in the industry who are dissatisfied about fair and open competition at the sales level.” The simple fact is that to date, in what can only be described as simply a sensational reaction to this incentive program, in excess of 1 100 horses—and I repeat “1 100 horses”—

have been nominated to participate in this program. It is an absolute record for any incentive scheme thus far in Australia. Stop knocking it; get out there and start supporting a very worthwhile program for the racing industry.

2. National Industry Extension Scheme

Mr BENNETT asked the Minister for Business, Industry and Regional Development—

“Will he outline the extent of assistance being given to companies in rural and provincial Queensland through the National Industry Extension Scheme (NIES)?”

Mr ELDER: I thank the member for the question, because he is a strong advocate of rural and regional Queensland, particularly the Gladstone region. As members are aware, the NIES program is a joint Commonwealth/State Government initiative which is basically about helping industry to help itself. It is about broadening the Queensland economy by improving productivity, competitiveness and export potential for Queensland companies. NIES is now regionalised. Firms in rural and provincial Queensland can access it directly through our regional offices. It was the vision of this Government that provided that opportunity through the expansion of those regional offices. During the last year, the proportion of NIES grants being delivered into regional Queensland increased by 11 per cent. In particular, for the member's own electorate the subsidy amount rose from approximately \$76,000 to \$150,000—an increase of over 54 per cent for the Gladstone area.

If the Government is going to create long-term sustainable jobs, then it must be about improving the competitiveness of our industries. We must move away from solely relying on our farming and mining sector. As a State we are doing that. We are seeing the growth in jobs coming from the growth in our manufacturing sector. It was welcome news from the Federal Budget that \$94m will be spent on industry programs. Within that, there is \$12.5m for the NIES program. As Industry Minister, I will make sure that we will obtain our fair share of that.

At the end of the day, that manufacturing sector, which is growing, will be enhanced and supported by programs such as NIES. As I previously said, it is about increasing our competitiveness and our productivity. We are

seeing the evidence of it now. One only needs to read the *Economic Review* to learn that employment in manufacturing has increased by 25 per cent; and our exports of manufactured products have increased by 65 per cent, from \$3.2 billion to \$5.2 billion, and last year—

Mr FitzGerald: Table it, why don't you?

Mr ELDER: I say this for the benefit of members opposite—last year, they outstripped those of exports of raw materials.

Manufacturing output in Queensland is up by 16 per cent, but nationally by only 2 per cent. The Government is committed to a program that the Opposition was committed to abolishing during the Federal election campaign. The Government is committed to funding that program and ensuring that Queensland receives its fair share.

3. Crown Lease Rental Fees

Mr HOBBS asked the Minister for Lands—

“With reference to the vote of no confidence moved against him by the Cattlemen's Union Convention in Townsville on 24 August and as the basis of this censure was the huge Crown land rental increases he is imposing throughout Queensland and his failure to release details of revenue to be raised through the land rental increases and, with more than 3000 properties facing steep rental increases and only 900 being reduced -

- (1) How can the changes be anywhere near revenue neutral as he has previously claimed?
- (2) Why didn't he find time in his schedule to visit the three day conference as invited, when that conference was held in his own electorate?”

Mr SMITH: In reply, I suggest that the member for Warrego improve his source of information. While there was at the Townsville conference some discussion about the level of rents, there was in fact no motion of no confidence moved against me as Minister for Lands. The remainder of the answer is detailed. I will table it and seek to have it incorporated in *Hansard*.

Leave granted.

There was ongoing consultation with industry before the pastoral leasehold rents were determined.

Both the United Graziers' Association and the Cattlemen's Union were consulted and both are represented on the Land Use Consultative Committee—a key Government rural body.

Given the drought, low-commodity prices and rural downturn the Government introduced a concessional rate of 1.1 per cent of Unimproved Capital Value (UCV) instead of 2 per cent for category one leases.

At the time of determination of this concessional rate—which allowed for decreases, nil movement and increases in individual rents—the effect of the new arrangements was projected to be revenue neutral.

The final revenue figure will only be known at the end of the financial year.

In addition, the Government recently linked hardship provisions to Rural Adjustment Scheme eligibility which allowed producers in receipt of RAS to gain deferrals for 12 months. This was on top of existing hardship provisions open to all lessees.

4. Crown Lease Rental Fees

Mr HOBBS asked the Premier and Minister for Economic and Trade Development—

“With reference to the vote of no confidence in the Minister for Lands passed on 24 August by the Cattlemen's Union Convention in Townsville as the cattlemen have found that the Government's hike in land rentals is up to 74 per cent across the board instead of revenue neutral as claimed by the Minister for Lands—

- (1) Does he agree that such ministerial deception warrants a vote of no confidence?
- (2) In view of the extra cost burdens the land rental hikes will impose, at a time when primary producers can least afford them, will the Premier intervene to defer them indefinitely?
- (3) Why did the Premier fail to reply to the Cattlemen's Union when they sought an explanation from him about the increases?”

Mr W. K. GOSS: I seek leave to have the answer tabled and incorporated in *Hansard*.

Leave granted.

The question was asked in three parts. The answers are as follows:

1. I do not accept that there has been any deception by the Minister for Lands and reject the Cattlemen's Union action.

2. The Government was fully aware of the problems being faced by primary producers when the new rental arrangements were adopted. In recognition of this situation, every effort was made to keep the overall new rents as close as possible to existing rents by the application of concessional rates. In fact many land holders actually will now pay reduced rents because their previous rental was higher than the new maximum rental of 2 per cent of unimproved value of the property. More importantly the Minister for Lands has given a commitment that the current concessional rates will not be increased unless economic indicators support such a change.

3. Producer groups have met with the Minister for Lands on a number of occasions regarding this matter. The issue has also been the subject of detailed correspondence from the Minister. There is nothing that I could add to the Minister's statement.

5. Child Molesters

Mr DAVIES asked the Minister for Justice and Attorney-General and Minister for the Arts—

“With reference to statements by the Honourable Member for Indooroopilly in the media and elsewhere to the effect that the *Penalties and Sentences Act* needs to be amended so that gaol is the first resort rather than the last resort in the case of sexual offences against children—

Is he aware of cases which suggest such an amendment is necessary?”

Mr WELLS: I will table a brief from my department on the subject. I will also speak to it in the hope that I might be able to provide some information which will be of value to the House and also perhaps dissuade the honourable member for Indooroopilly from going around the country advancing false, mischievous and dangerous propositions. I am aware that the honourable member for Indooroopilly has been going around the State saying that the effect of the *Penalties and Sentences Act* is that child molesters are not to be sent to gaol unless it is a last resort. This is an incorrect statement of the law. It is an incorrect understanding of the *Penalties and Sentences Act*. It is at odds with the view of the Court of Criminal Appeal.

It is just as well the honourable member for Indooroopilly is not a judge, because if he believes that gaol is a last resort for child molesters, then “His Honour Judge Beanland” would be letting these people go when all of the other judges would be locking them up. The member for Indooroopilly really needs to

realise that his understanding of the law is incorrect. The Penalties and Sentences Act does not say that gaol is the last resort for child abusers any more than it says that it is the last resort for mass murderers. The Penalties and Sentences Act says that gaol should be the last resort for an offender unless the crime is of sufficient gravity to warrant a custodial sentence. The Court of Appeal has recently found that crimes of this type are of sufficient gravity to warrant a gaol sentence, and it has found that in the context of the interpretation of the Penalties and Sentences Act.

I refer the House to the case of the Queen v. H. In that case, the Court of Appeal was considering an appeal by myself against the leniency of a non-custodial sentence in respect of a case of child abuse. The court held that, in that case and circumstances like it, it was appropriate that, in the context of the whole of the Penalties and Sentences Act, a custodial sentence should be handed down. The honourable member's understanding of the Penalties and Sentences Act—which he is purveying around State—is incorrect.

6. Housing

Mr DAVIES asked the Minister for Housing, Local Government and Planning—

- “(1) Is he aware of reports from the Federal Government's Indicative Planning Council that in the year to 31 March there were more houses built in Queensland than in any other State?
- (2) What else does the Indicative Planning Council have to say about the future of housing in Queensland?”

Mr BRADY: In the absence this morning of the Minister for Housing, Local Government and Planning on ministerial business, I seek leave for the answer to be deferred until tomorrow.

Leave granted.

QUESTIONS WITHOUT NOTICE

Mr BORBIDGE proceeding to give notice of a question—

Mr BORBIDGE: I table a question on notice to the Minister for Family Services and Aboriginal and Islander Affairs for next Tuesday, in the hope that she might front.

Government Cutbacks

Mr BORBIDGE: In directing a question to the Treasurer, I refer him to his quarterly economic review and a \$179m budget blow-out involving the Premier's Department, the Cabinet Office, the PSMC and ministerial offices, among others, and I ask: in view of the alleged shortfall of \$115m in Commonwealth funding used to justify cutbacks in education, health and rail services, will the Treasurer now accept that if he had managed his own Budget properly within estimates, those cutbacks would not have been necessary?

Mr De LACY: Once again, the Leader of the Opposition displays his total inability to read Budget papers, Queensland economic reviews or any other documents.

Mr Cooper interjected.

Mr SPEAKER: Order! I will not tolerate those sorts of interjections being made across the Chamber. I warn the member for Crows Nest under Standing Order 123A.

Mr De LACY: I put it to you, Mr Speaker, that the member for Crows Nest is losing control of the game if he has to resort to that sort of childish and infantile abuse across the Chamber.

Mr Borbidge interjected.

Mr SPEAKER: Order! I warn the Leader of the Opposition under Standing Order 123A. He has asked a question. He will now listen to the answer.

Mr De LACY: Certain departments spend more than estimated because sometimes they take on added responsibilities throughout the year. To imply that it is a blow-out is just quite wrong. The other insinuation in the Leader of the Opposition's question, that we have not managed our Budget properly, is again not supported by the facts. In recent weeks, the Leader of the Opposition has been going around the State saying that Queensland did not really lose any money at the most recent Premiers Conference. However, the Budget papers tabled last Tuesday night show that, for the first time since the tax-sharing arrangements were entered into in 1975, Queensland received less money than it did the year before.

Mr Littleproud interjected.

Mr SPEAKER: Order! The member for Western Downs!

Mr De LACY: There is one Government in Queensland that balances its Budget—

Honourable members interjected.

Mr De LACY: Sorry, there is one Government in Australia that balances its

Budget. There is probably only one left in Queensland, as well. To imply that we did not balance our Budget is quite wrong.

Mr Borbidge: You overspent \$210m, according to the documents you tabled yesterday.

Mr De LACY: According to the documents that I tabled yesterday, Queensland finished up with a cash surplus of \$4.9m. If that is taken one step further, we finished up with a negative net financing requirement of \$730m. However, through a convoluted and self-interested interpretation by the Leader of the Opposition, somehow we overspent. If we can keep overspending and bringing in surpluses such as that, we are doing a lot better than his colleagues in the other States.

Economic Policy

Mr PITT: Mr Speaker—

Mr Johnson interjected.

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

Mr PITT: I ask the Treasurer: can he confirm that next week's Budget will continue the Government's strict financial policies of no new taxes, full funding of future liabilities, no borrowings for social infrastructure and borrowings allowed only where there is a proven revenue return? Does that policy remain a dominant economic orthodoxy in Queensland?

Mr De LACY: It does, and I can confirm that we will stick to our financial management principles, despite the fact that we are coming under increasing pressure from a whole range of sources. It is no secret that the Queensland Budget has come under pressure not only because of cutbacks in funding from the Commonwealth but also because of a very severe drought.

Mr FitzGerald: You overspent in certain areas.

Mr De LACY: Any talk about overspending is absolute nonsense.

Mr FitzGerald: You and the Ministers are overspending.

Mr De LACY: In one breath, Opposition members are running around saying that we are spending too much; in the next breath, they are saying that the savings are too big, that we are cutting back too much, or that we are not spending enough. Opposition members try to have it every way, but at the

end the day they are having it no way, because nobody is listening to them. In answer to the honourable member's—

Mr Lingard: The Education Department has old debts. What about the east metropolitan area? They are in debt from last year.

Mr De LACY: Here we go again—the old claims that Queensland has big debts and that the Education Department has big debts. I challenge the honourable member to read the documents and see where the debts are. The debts are all in New South Wales and Victoria; they are not in Queensland. The debts are not in Queensland because we stick to a disciplined financial management strategy. Let me say that it is not at the expense of the delivery of essential services. If honourable members examine our performance in relation to education, health and important basic service areas, they will see that over time—

Mr Littleproud: Demand is up 40 per cent.

Mr De LACY: I think that is probably a bit overinflated, but we have increased spending in important social areas.

Mr Littleproud interjected.

Mr De LACY: What is up 40 per cent?

Mr Littleproud: Demand for welfare services.

Mr De LACY: I do not know whether demand for welfare services is up 40 per cent, but certainly our funding for welfare services is up 40 per cent. We are meeting the needs of Queenslanders. We are rectifying three decades of neglect in important areas such as education, health, welfare, the environment and police services. I give the members of this House an assurance that we will continue to meet those needs in the Budget next week.

Education Policy

Mr PITT: I ask the Minister for Education: can he inform the House whether next week's Budget will continue the basic thrust of Government education policy? Is the Minister aware of any alternative policy put forward by other political parties in Queensland?

Mr COMBEN: I thank the honourable member for the question. I can certainly confirm to the House that the basic thrust of past Budgets in Queensland—that is, expansion of education services to the extent that we are now spending 25 per cent of the Budget on education instead of the 19.9 per cent that was being spent when we came to

Government—will continue. There will be an increase in real terms next Thursday. There will be new initiatives to assist teachers, parents and students. The Government's election promises will be implemented. So, yes, we will continue the basic thrust of our education policy.

As to the second part of the question—it is interesting to note whether or not there are any alternative proposals in Queensland. There are none that I have heard of in recent times and none that I have seen in the media. However, on Tuesday, Mr Borbidge asked me where the extra money was going. He stated that it was all going on bureaucratic expansion. Yet last night, after a nightmare, I got up and read a speech by Mr Quinn. On 12 November last year, he stated—

“There are many good aspects of the Education budget. It would be churlish of members on this side of the Chamber if they did not recognise that there has been a real increase in education funding in the past three years . . . That increase in education funding has brought with it many good programs for children in Queensland schools. The LOTE program is great . . . The Opposition has no quibble about the Remote Area Incentive Scheme for teachers in the west of the State . . . Again, the Opposition has no quibble about the additional funding for computers in schools . . . As to capital works and additional distance education facilities—those are all great programs that have been reinforced or introduced by the Government. By and large, the Opposition has no quibble with those programs.”

I thank the honourable member for the endorsement. We will continue those good educational programs, but there is one question to be answered: who is more politically honest, Mr Borbidge for saying at the beginning of the week “there has been no improvement in real terms; it is all bureaucratic” or Mr Quinn for saying “good on you for new policies about students”? I think I know who is the most politically honest.

Increased State Taxes

Mrs SHELDON: I direct my first question to the Treasurer.

Mr Veivers interjected.

Mr SPEAKER: Order! I will not allow members to interject when I am trying to hear a question. I warn the honourable member under Standing Order 123A.

Mrs SHELDON: In light of the figures released yesterday in his department's June quarter *Queensland Economic Review* showing that Government revenue from taxes, fees and fines has risen by 11.14 per cent in the last year while the State's overall economic growth was only 6.6 per cent and inflation was 2.5 per cent, I ask: when the Government calls itself a low-tax Government, how can he justify this increase in the tax burden on average Queenslanders which is well above State economic growth and inflation?

Mr De LACY: The increase in taxes for the last financial year was confined largely to increases in stamp duty receipts, which exceeded estimates by approximately \$86m. That reflects a quite extraordinary increase in new dwelling commencement or housing activity in this State. It does not reflect in any way, shape or form increased taxes, because there has not been any increase in taxes in Queensland with the exception of the increase in the tobacco licence fee.

If the honourable member is looking at those documents and comparing them with last year's Budget Estimates, they will reveal that there has been a substantial increase in taxes, reflecting the increase in receipts from the tobacco tax. The honourable member will remember that, when the Budget was prepared last year, it was before the decision was made to increase the tobacco tax. There has been something like a \$97m increase over the estimates in the Budget document for the tobacco tax, all of which was expended in our job creation programs. The other big increase is in stamp duty receipts, as I have said. To a certain extent, those increased receipts were offset by reduced receipts in a range of other areas. But at the end of the year we have ended up with a \$4.9m surplus, which means it is good budgeting.

For the honourable member to imply, in the way that she often does, that somehow the Government increased taxes to achieve the increased revenue is again quite wrong and says more about her capacity to analyse information than it says about the Queensland economy.

Stamp Duty on House Purchases

Mrs SHELDON: I note that there was no denial that the revenue increased by 11.14 per cent. However, I thank the Treasurer for his answer because it leads directly into my next question. In light of the State Government's \$86m windfall over expectations in stamp duty receipts this year

and given that the price of the average home has doubled in most of Queensland over the last five years, I ask: why is the Treasurer continuing to rip off Queensland home buyers by failing to revise stamp duty thresholds? That is why he is getting his extra money.

Mr De LACY: I would like to make a point about stamp duty that applies to the sale of houses. Queensland is the only State in Australia which provides a concession on the purchase of principal places of residence. A concession applies in other States to first principal places of residences, but in Queensland there is a further concession on the acquisition of principal places of residence. People in Queensland pay stamp duty of 1 per cent compared with an average of 3 per cent in every other State of Australia. If the honourable member looks at the comparative figures of stamp duty imposition on house purchases in Queensland compared with those in the remainder of Australia, she will see that people are enormously better off in Queensland than they are everywhere else in Australia.

Mrs Sheldon: I am talking about the threshold.

Mr De LACY: There is no threshold—it is 1 per cent all the way for the principal place of residence. The honourable member does not understand what she is talking about. She may well be talking about the threshold for the first principal place of residence.

Mrs Sheldon: I didn't mention principal places of residence, you did.

Mr De LACY: There is no threshold with a principal place of residence; it is 1 per cent all the way. For a first principal place of residence there is a threshold, and an additional concession for first principal places of residence. However, once people get over the threshold, they move on to the 1 per cent concessional arrangement that applies to principal places of residence, even if they are millionaire friends of the honourable member.

Opposition Health Policy

Mr LIVINGSTONE: In directing a question to the Minister for Health, I refer him to continued criticism of the Queensland health system by members of the Opposition. I ask: can he inform the House what alternatives the Opposition offer to current policy?

Mr HAYWARD: The short answer is: nothing. Yesterday, the opportunity was presented to the Opposition to raise some issues and to present alternative policies. What did we get? The member for Callide

launched an attack trying to suggest that asthma education activities were a waste of time. I hope that she understands the significance of what she was saying. It is very important that those education activities are undertaken.

The member for Toowoomba South demonstrated yet again that he cannot read the Budget figures. He is incapable of reading the Budget papers. He even went on to suggest—if this is his policy—that the Queensland Government should allocate \$20m to introduce a 38-hour week for nurses. Where does he think the money is coming from?

Mr FITZGERALD: I rise to a point of order under Standing Order 120. The Minister is referring to a debate conducted in this House yesterday and is continuing that debate. It is out of order.

Mr SPEAKER: Order! I agree that it is out of order to comment on yesterday's debate; but it is not out of order to comment generally on health matters. I presume that the Minister will follow that direction.

Mr HAYWARD: We will get away from yesterday's debate, because, last night, in some sort of veiled attack on regionalisation of health services in Queensland, the member—

Mr FITZGERALD: I rise to a point of order. I understood the Minister to just say, "Last night, the member said in this House", or, "In the debate last night".

Mr HAYWARD: For the information of the honourable member, I am not talking about what happened in the Parliament; I am referring to the complaint made last night by the member for Caloundra about urology services at Nambour. She complained about waiting times for urology services at Nambour. However, she neglected to inform this House that, until this Government was elected and until the regionalisation of health services in Queensland, there were no urology services at Nambour. She is saying that under her Government there was no waiting time and now there is a waiting time, but she neglected to say that under her Government there was no service.

Mrs SHELDON: I rise to a point of order. Possibly, the Minister would like to speak to the patients whom he is sending to Brisbane. They will tell him about it.

Mr SPEAKER: Order! The Deputy Leader of the Coalition will resume her seat. I warn the member that I am not going to allow those

sorts of points of order. That is not a point of order, and the member knows it.

Mr HAYWARD: I make the point yet again that those services are available on the coast, whereas previously people had to go to Brisbane or wherever else they could get those services. Surely, the honourable member is not suggesting that we go back to that system. It was very clear yesterday that the Opposition has no strategy, no policies and no direction for health services in Queensland.

Mr FITZGERALD: I rise to a point of order under Standing Order 120.

Mr SPEAKER: Order! I am aware of the Standing Order about reference to previous debate, but I am in control of the House, and I will pull up the Minister if he transgresses that Standing Order.

Mr FITZGERALD: I rise to a point of order. Mr Speaker, I draw to your attention that the Minister is referring to what the member for Caloundra said during yesterday's debate in this House.

Mr Hayward: She didn't.

Mr FITZGERALD: The member advises me that this is what she said in that debate.

Mr SPEAKER: Order! There is no point of order. I call the Minister.

Mr HAYWARD: Let me make the comment that the member did not participate in the debate, or if she did, I certainly did not notice her.

This Government has a direction for the future of health services in Queensland. Let us look at its record. Over the past four years, we have been able to deliver an increasing budget in real terms. Last year, we instituted a \$1.5 billion 10-year hospital rebuilding and re-equipment program. The first part of that program will come on stream this financial year.

Mr Lester interjected.

Mr SPEAKER: Order! The member for Keppel!

Mr HAYWARD: That will provide a capital works program in Queensland of \$143m—a program directed at attacking those waiting times. Next week, yet again, there will be a record Health budget in Queensland. Members opposite have to contrast that with what is happening in conservative States in Australia, where Health budgets are being slashed. Next week, the Budget in Queensland will be targeted towards addressing the health needs of all Queenslanders.

State Budget

Mr LIVINGSTONE: I ask the Treasurer: has his attention been drawn to an article in this morning's *Courier-Mail* by Mr Terry McCrann, who comments on Queensland's Budget outcome? Does the Treasurer agree that Queensland's good Budget result of 1992-93 is a valid reason to reverse the policy of fiscal equalisation?

Mr De LACY: I did read that article in the *Courier-Mail* by Terry McCrann. While many of the things said in that article are right, some of the conclusions at which Mr McCrann arrived certainly are not right.

Mr Cooper: They just didn't suit you, in other words. They just don't suit you.

Mr De LACY: Some of the conclusions that he arrived at do not suit Queensland.

Mr W. K. Goss: Does he support McCrann?

Mr De LACY: Does the honourable member support his conclusions? That is a good question. I do not support those comments, simply because they are not good for Queensland. I am a proud Queenslander, and I am prepared to say that at any time. Do members recall the days when members of the National Party used to pretend that they were proud Queenslanders? Now they will do anything to put Queensland down, and to run the case on behalf of New South Wales and Victoria.

Mr McCrann has fallen into a trap. He is too close to all the opinion makers in Sydney, Melbourne and Canberra. He has fallen into the trap of believing the line that is being put about by New South Wales and Victoria.

Mr Borbidge: Are you going to get him sacked, too?

Mr De LACY: No, I would not do that, because he started off by saying—

“Queensland's Budget surplus—in stunning contrast to the rivers of red ink pouring through every other government budget in Australia . . .”

I do not think there is anything in that article over which he could be sacked.

Mr Connor interjected.

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

Mr De LACY: Nevertheless, Mr McCrann completely misunderstands the principles behind fiscal equalisation. He is saying that

Queensland should no longer benefit from the distribution of Commonwealth tax funds at the expense of New South Wales and Victoria. He has picked up that rhetoric from the Treasurers of New South Wales and Victoria, who are trying to justify their parlous Budget positions. They say, "We have massive subsidies going to other States, such as Queensland." The fact is that very little of that subsidy is coming to Queensland. We are drifting closer towards the middle. Most of the subsidy is going to Western Australia, South Australia, the Northern Territory, Tasmania and the ACT.

I presume that Mr McCrann is saying that, if we do away with fiscal equalisation, we should do away with it for all of those States, as well. I put it to honourable members that if we do away with it in respect of those other States, there will be chaos in this country. Fiscal equalisation means that all States should be able to deliver an equal level of service, provided that they make an equal effort to raise revenue.

The Commonwealth Grants Commission still finds that it does cost more to deliver services in Queensland because of our relatively small population, the large size of the State and the dispersed nature of our population, and that, therefore, we should get a benefit. But there is absolutely nothing in fiscal equalisation that means we have to charge higher taxes or incur higher debts. That is all a measure of our financial management competence. We in this State should not be penalised for doing it right.

Public Sector Enterprise Agreements

Mr SANTORO: In directing a question to the Minister for Employment, Training and Industrial Relations, I refer to statements he made in a media release on 29 October 1992, when he announced "a framework in which individual State Government agencies can negotiate wages and conditions with their employees". I remind the Minister that it is almost 12 months since he assumed office, and I ask: where are the public sector enterprise agreements for Health, Education, TAFE and other Government departments where there is significant potential for increased productivity?

Mr FOLEY: I thank the honourable member for the question, and invite him to congratulate—as should all honourable members of this House—the initiatives that have been undertaken in this area by employees, trade unions and public sector agencies. For example, I draw the honourable

member's attention to the very fine Queensland Electricity Supply Industry Agreement, which has been reached through the good efforts of my ministerial colleague the Minister for Mines and Energy, and which puts in place an example of the productivity-based improvements that can be achieved through public sector enterprise bargaining.

Let me refer the honourable member to the very significant progress that has been made in the achievement of the enterprise agreement with Queensland Rail as a result of the efforts of my ministerial colleague the Minister for Transport. These are practical examples of the way in which progress is being made. Similarly, ongoing discussions have been held with representatives of public sector unions on the development of negotiations for enterprise bargaining in the public sector generally. That includes issues relating to the core of the public sector, as opposed to particular Government owned enterprises or statutory authorities.

The honourable member would be aware that statutory authorities, such as Goprint, can be dealt with in a way that is different from the way in which the core of the public sector as a whole is dealt with. In the public sector, the measurement of productivity and the obtaining of a menu of productivity items involves a more subtle and complex process than it is in the case of those specific Government owned enterprises and statutory authorities where productivity outcomes can be achieved.

The honourable member, far from criticising the progress in that area, should acknowledge the great achievements that have been made to date. I inform the House that ongoing discussions have been held in order to progress public sector enterprise bargaining throughout the public sector in Queensland.

Government Interference in Business

Mr SANTORO: In reminding the Treasurer of the personal statements that he has made as early as this morning, I refer him to a statement that was made recently by two prominent businessmen, Commonwealth Bank director Jim Kennedy and Metway Bank chairman Bob Nichol, who are concerned at the excessive level of Government interference in business, and I ask: as the chief Government Minister to whom, undoubtedly, those two people were referring, what experience has the Treasurer in the private sector? What was the nature and term

of that experience? Were those business operations successful and, if not, why not?

Mr De LACY: I am interested in the new level of debate in this State and the new line adopted by the Opposition. I notice that the member for Crows Nest this morning engaged in a similar level of debate. As I have said, and said 100 times, if the Opposition has to reduce itself to that miserable level, it says a lot about its capacity to enter into meaningful debate and its capacity to discuss the issues. Let me say this: I will put my performance—

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest has been warned.

Mr De LACY: I will compare my performance in private business with that of the honourable member any day of the week.

Stock Agistment for Wheat Growers

Mr Santoro interjected.

Mr SPEAKER: Order! The member for Clayfield!

Mr Santoro interjected.

Mr SPEAKER: Order! I have just asked the member for Clayfield to stop talking. I warn him under Standing Order 123A, and that is his last warning. The House is becoming disorderly.

Mr FENLON: In directing my first question to the Minister for Primary Industries, I ask: can he advise the House of any concession to be considered for wheat growers whose crops have failed in regard to agistment of stock?

Mr CASEY: I thank the honourable member for his concern in relation to this matter.

An Opposition member interjected.

Mr CASEY: The honourable member may have some constituents who are interested in my answer. It is well known that, despite the fact that many growers in southern Queensland were able to do some wheat plantings eight weeks ago because of rainfall—

Honourable members interjected.

Mr SPEAKER: Order! Honourable members, I have just heard some inane interjections. I am not going to allow the House to descend to that level. I warn members now that that is it. I am not going to allow this House to lose its dignity and to be brought into disrepute.

Mr CASEY: It is sad to see that the old Country Party in Queensland has

degenerated into such a rabble. Its members are not even interested in matters of great concern to the primary producers of Queensland, and the contribution that they make to the economy of our great State.

With the lack of rain, obviously there is going to be a failure of the wheat crop.

Mr PERRETT: I rise to a point of order. I rang Mr Casey's office this morning with this very query, and they could not give me an answer. They said, "We don't care."

Mr SPEAKER: Order! I am on my feet. That is not a point of order. I am not going to allow spurious points of order. I warn the member for Barambah.

Mr CASEY: It is certainly not a point of order. The honourable member rings my office every morning to find out a little bit about primary industries.

Mr BORBIDGE: I rise to a point of order. Mr Speaker, my point of order is simply this: you have told members of the Opposition that we are not to interject. A number of our members have been warned under 123A. However, apparently we have a situation in which Ministers are getting away with aggravation and insulting us across the Chamber.

Mr SPEAKER: Order. There is no point of order. I ask all members of the House to come to order. The Minister will answer the question.

Mr CASEY: Members will be pleased to know that the Goss Government consults continually with the primary industries sector of this State and the industry drought committee, which looks constantly at the problems that arise and the need for adjustment. As a result, the Government has received representations from the Queensland Grain Growers Association and the various livestock industries in relation to this problem. Producers are faced with either baling the crop, or putting cattle on agistment to make some use of the crop as feed prior to its complete and utter deterioration during the coming drier months of the year. It has been approved that, to accommodate this winter crop problem, where producers elect to provide agistment to feed cattle on a failed crop, the 16-week period normally insisted upon regarding restocking has been allowed to be put aside. There are some conditions by which people can bring on stock for agistment, and they relate to relativity with the stock that are on the property already and that the agistment is only cropping over and above what would be the normal supply for existing stock. That will be taken into consideration. It

applies only to stock that are taken on to agistment, and it is not for the purchase of stock for fattening purposes, which would be a normal property operation.

This move will be of benefit to some growers. We want to make sure that everybody on the land in Queensland who is affected by the drought has the opportunity to make some income to help them through this very bad period. There will be a suspension of that 16-week period where it applies. Stock inspectors in the area will be the people who should be consulted. A few other conditions will apply, and these will be well publicised, and publicised immediately, in the areas concerned.

Quite clearly, this measure demonstrates—and this is the importance of the honourable member's question—in another way the Goss Government's understanding, care and concern about and its willingness to help the rural sector of this State. That was brought home to me and expressed quite clearly at a Cattlemen's Union conference in Townsville that I addressed earlier this week. That major organisation expressed its appreciation of the work that the Government is doing through its drought caring program for the primary producers of Queensland.

Queensland Treasury Corporation

Mr FENLON: In directing my second question to the Treasurer, I refer him to media reports that accounting firm Deloitte has completed a report for the Local Government Association on the Government's imposition of a performance dividend on the Queensland Treasury Corporation. I ask: has the Treasurer seen the report and, if so, does he support the Government's assertion that QTC borrowers will continue to benefit through reduced loan terms?

Mrs Sheldon: No, he hasn't. He said it on radio this morning.

Mr De LACY: The answer is that I have now only just seen the report. I had not seen it this morning and, I might say, I believe that it is a discourtesy on the part of the Local Government Association to commission that report and then go public about it without supplying me with a copy of it. Nevertheless, having seen the report, I think that it is fair to say that I am pleased that it commissioned the report, because it confirms everything that I have been saying and it confirms the information that I have supplied to local authorities throughout Queensland.

In fact, I have written a letter to all local authorities in Queensland, plus all statutory bodies that borrow through the QTC—something like 200 letters. I note that the member for Callide, being the super sleuth in this Parliament, had one leaked to her. I compliment her on her capacity to obtain that leak. However, there were 200 letters sent, and I suppose that puts it into context. I told the Local Government Association that it was wasting its time commissioning the report. Not only was it wasting its time but also it was wasting local authorities' money because we can and did provide the kind of information that Deloitte is providing to them.

What the report does is confirm the information that we provided. What the Queensland performance dividend is all about is sharing the benefits that accrue to local authorities.

Mrs McCauley: You lied. You told a lie.

Mr SPEAKER: Order!

Mrs McCauley: You said you wouldn't do it and now you are doing it.

Mr De LACY: Is that the honourable member who said, "You told a lie"? This is the super sleuth, but she obviously does not know the difference between a guarantee fee—

Mr Borbidge interjected.

Mr De LACY: I am answering the question of the Leader of the Opposition and the honourable member's question, despite the ignorant way in which she asked it. I told the Local Government Association that there would be no guarantee fee. Let me say it again: there is no guarantee fee, but what we are doing is imposing a performance dividend on the Queensland Treasury Corporation. What we are proposing to do is share the benefits that accrue to people who borrow through the Queensland Treasury Corporation—half to them, and half back to the taxpayers of Queensland. That is fair; there is nothing unfair about that. What the honourable member needs to understand is that it is not a guarantee fee, but if there is no performance and if they do not outperform the benchmark, then there is no dividend.

Mrs McCauley: What's the benchmark—Victoria?

Mr De LACY: We are prepared to talk to the Local Government Association about appropriate benchmarks. Let me say that Deloitte has confirmed what we already knew. The imposition of the performance dividend will mean that the borrowing term for local authorities will not reduce as much as it would have done if we had not imposed the

performance dividend. For example, the current loan of the Brisbane City Council has a term of 12.57 years. The expected loan term with the performance dividend will be 12.46 years. However, the loan term, if the performance dividend had not been imposed, would have been 12.15 years. That means that the Brisbane City Council will still get a benefit by borrowing through the QTC. The council will still have a reduced borrowing term but that will not be as great as it otherwise would have been. For the Local Government Association or anyone else to say that it will have an impact on rates, employment levels or anything else is untrue.

Mrs McCauley interjected.

Mr SPEAKER: Order! The member for Callide!

Mr De LACY: My challenge to the honourable member is to find something in the Deloitte report which says that, because it simply does not. My challenge to the Local Government Association is for it to make available the Deloitte report to every body in Queensland, particularly the media, so that they can see the benefits that local authorities are getting and will continue to get by borrowing through the QTC. Just in case the association does not make that report public because it does not prove the association's case or the member for Callide's case, I propose to table the current borrowing terms for all local authorities in Queensland and the changes that will occur under the performance dividend.

Mabo

Mr STONEMAN: I direct a question to the Minister for Justice and Attorney-General and Minister for the Arts. Further to the increasing damage being done to the State economy by the uncertainty created by the Mabo decision and yet another claim in north Queensland recently, I made personal contact with the chief elder of the Birri Gubbi tribal group in north Queensland, Mr Peter Prior, to research the true position of that claim. As a result, I ask: has the Attorney-General made any attempt to contact the Birri Gubbi group—a number of whom are employed by the State—to ascertain the veracity of the claim over a large area of central and northern Queensland, including the Bowen coal basin? Is he aware that the Birri Gubbi group has disowned the so-called claim made on its behalf? What steps have been made by his department to ascertain the bona fides of the lawyer claiming to represent the group? When were these actions and checks put in train? If

no action was taken, why not, given the enormous damage being done to business and investor confidence as a result of Government dithering?

Mr WELLS: In respect of the Mabo matter—the Crown Solicitor is being briefed directly by the Premier's Department to handle it. The heads of Government throughout Australia are dealing with all issues relating to Mabo claims, and that is where the matter is being handled.

Brereton/Kelty Industrial Debate

Mr STONEMAN: I note that nothing has been done. In directing a question to the Minister for Employment, Training and Industrial Relations, I refer to the current debate between the somewhat enlightened and relatively forward thinking Federal Minister Brereton and the arch enemies of modern industrial relations labour reform, Bill Kelty and the ABC—I mean, the ACTU. It was a Freudian slip.

Government members: Ha, ha!

Mr STONEMAN: It is just natural. I ask: following a command by his predecessor to have an industrial inspector visit the Morven property where I was taking part in the first legal weekend shearing to be undertaken in Queensland since 1911—

Government members interjected.

Mr SPEAKER: Order!

Mr Livingstone interjected.

Mr SPEAKER: Order! The member for Ipswich West!

Mr STONEMAN: Thank you, Mr Speaker. As I was saying—what action is planned as a consequence? In other words, will I and others who have shorn sheep on weekends be taken to court? If no action is to be taken, following the many months that have now passed, does this mean that the Goss Government has, by default, admitted that the Troubleshooter contract work process is, indeed, fair, reasonable and practical? Finally, given the parlous state of the national economy under the Labor Party, will the Minister enlighten the House as to his factional stand in relation to support for either the Brereton or Kelty line?

Mr FOLEY: I have never seen a more willing and anxious defendant seeking to be prosecuted before the courts of the land. In my former profession, we dreamed of people like the honourable member for Burdekin.

Government members interjected.

Mr SPEAKER: Order!

Mr FOLEY: I confess, though, that sometimes the logic of the honourable member is so subtle that it does escape me. I assume that by referring to the progressive stand of Mr Brereton, he is referring to yesterday's media release which advocates the abolition of the secondary boycott provisions, sections 45D and 45E of the Trade Practices Act which, up until now, I had not been aware was the policy of the honourable member or the honourable member's party. But perhaps that is a new enlightenment of the international age sweeping through.

Mr Stoneman: What about the question?

Mr FOLEY: The honourable member asked for my opinion or my observations with respect to Mr Brereton, whom he identified as a progressive in industrial relations. This is the latest statement from Mr Brereton's office, and I must confess that I am also just a little surprised at the honourable member's conversion to international human rights law. Yesterday's statement from Mr Brereton's office indicated that legislation based on International Labour Organisation conventions would be introduced to provide protection for minimum wages, equal pay and parental leave and protection from unfair dismissal. I can only assume that all the work that the honourable member and I did on the Parliamentary Committee for Electoral and Administrative Review has opened the honourable member's eyes to the new dimension of international human rights law.

Mr Stoneman: What about the question?

Mr FOLEY: I will come to what is obviously really behind his question, which is the first point Mr Brereton made in his press release, namely, the maintenance and strengthening of the award system. I can assure the honourable member and the House that this Government stands behind the award system, which has been subject to so much attack from the honourable member's ideological fellow travellers. However, it should be known and understood that this Government has taken great steps to ensure labour market flexibility.

My illustrious predecessor, the Honourable Nev Warburton, introduced into this House legislation under what was section 10.1 and what is now section 105 of the Industrial Relations Act, which enables enterprise awards to be made—as was done recently in the case of the Coachtrans award, for example—and which provides for enterprise awards similar to the Powers Brewing award, for example, which extends

labour market flexibility very broadly indeed. It is that adherence to labour market flexibility and adherence to the rights and the dignity of working people that are the hallmark of this Government's approach to industrial relations.

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

MOTOR VEHICLES SAFETY AMENDMENT BILL

Second Reading

Debate resumed from 25 August (see p. 3865).

Mr J. N. GOSS (Aspley) (11.12 a.m.): There is a well-recognised need to improve the safety of vehicles travelling on Queensland's roads. One way of achieving that is through the regulated inspection of vehicles which are suspected of being unroadworthy. When it comes to vehicle safety, Queensland has amongst the worst vehicles of the vehicles found in any Australian State. This Bill provides for the random inspection of vehicles. Although I strongly support the inspection of vehicles in an effort to improve the standard of the vehicles travelling on the roads in Queensland, I am concerned about a number of the provisions of the Bill which I believe, if not amended, will cause considerable problems. Let me clearly state here and now that I am proud to be a member of the Travelsafe Committee, and its members, led by the member for Archerfield—

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! I ask honourable members to save their conversations till they leave the Chamber.

Mr J. N. GOSS: The members of the Travelsafe Committee are dedicated and committed to road safety. It is my belief that, when they produced the report, the members of the Travelsafe Committee believed that police would always be present when mechanical inspections were carried out. The recommendation of the Travelsafe Committee did not endorse inspectors out of uniform, and I would be disappointed if the Government members on that committee knew the agenda and said nothing to the other members of the committee.

The Travelsafe Committee report was presented to this House in 1990, almost three years ago. I would like to mention some of the comments made in this Chamber last night by the member for Brisbane Central. Using his own figures, he said that 20 people would die on our roads each year because of faulty

vehicles, yet it has taken his Government almost three years to introduce the Bill. By using the logic presented by the member for Brisbane Central last night, the Government has allowed 55 Queenslanders to die on our roads, yet Government members pretend to be concerned about road safety. It would appear that the Government plans a great revenue-raising exercise with the Bill.

The emotive remarks by the Minister and the member for Brisbane Central about non-uniformed officers stopping a bus with a loose wheel and the bus being full of school children are a smokescreen. I would expect that any motorist who saw a bus with children, or any vehicle—even a car—that had a loose wheel or a flat tyre would make a serious attempt to warn that driver. From the way in which Government members have been speaking, I assume that the best thing to do is ring up an inspector. It is a matter of trying to create an emotive smokescreen.

We on this side of the House are concerned about giving the right to stop vehicles to inspectors who are out of uniform and who do not have their identification with them. That is clearly in the Bill. The situations for which the Bill allows are endless. With the increasing violence in society, this Bill will allow those sick people out there in the community—not the inspectors—to perpetrate violence, in particular, against women. Have we forgotten Sharron Phillips? Have we forgotten the number of young women, and not so young women, whose cars have broken down and who have been murdered or are still missing? A segment on the *Australia's Most Wanted* program concerned a woman who was raped in broad daylight 30 metres from a busy freeway, and no-one stopped. The genuine feeling amongst people in the community is that they will not stop. I can understand the great concern of women who may be flagged down.

All we have is the Minister's assurance that certain things will not happen. The people at Winton in western Queensland had an assurance from the Minister, and they had that assurance in writing. The Minister even signed it, but that assurance became absolutely worthless. We have only the Minister's assurance about these matters. The Bill states that the fine for not stopping is \$1,200. The points add up. Here again, it is only a verbal assurance. What I want to know is: how can the Minister present into law a Bill saying that, if people do not stop, they can be fined \$1,200, and then say that the Minister will decide whether they get fined and that, if people tell him that they were afraid to stop,

that will be okay? The next thing we know is that the Minister will decide who gets a ticket for running a red light and who gets a ticket for speeding.

Obviously, the Minister does not believe in the separation of powers. He wants to interfere in the due legal process. No woman should be expected to stop or be confronted by someone who is not in uniform. I have been much criticised and accused of misleading the people of Queensland. It has been said that I have been able to fool the RACQ, the Queensland Council for Civil Liberties, the Queensland Cane Growers Association, and the Queensland Police Union. And may Heaven help me, I have even been accused of fooling Hughie Williams and his boys at the TWU. Does anyone honestly believe that the Women's Electoral Lobby is so gullible?

All of those people had a copy of the Bill. They had all read the Bill. However, when the *Courier-Mail* printed the story, the attack that came from the Government was that it was sloppy journalism. The Government gives me far too much credit. All of those organisations had the Bill. They all read it. We should give the members of those organisations some credit. It is typical of the Labor Party. If organisations are not 100 per cent on side all the time, the Government attacks them and puts them down. One has only to ask Pamela Bornhorst. One has only to listen to the talkback shows, read the newspapers and see the letters to the editor to know that people in the community have serious concerns.

Mr Beattie: You haven't even dealt with clause 18. What about clause 18—defences?

Mr J. N. GOSS: The member for Brisbane Central should read clause 18 very, very carefully. It does not give the protection that he says it does. We have heard also that this is not a police duty. In other States, it has been found that it is a police duty because, when the police are present, there has always been far more respect for the inspectors. The police officers are able to determine more about the driver of the car. They are able to inspect things. For example, if a person has three videos on the back seat, there may be some suspicion about whether that person has stolen property; or there may be a suspicion about whether the driver of the car or people in the car are wanted by the police.

This is beyond the current powers of the traffic officers. Police who operate in the Traffic Branch area, even in Q-cars, are always in uniform. The police do not send to a situation Traffic Branch officers who are out of uniform.

The Transport Department is creating policy to gradually erode the powers of the traffic police in this State. It is an attempt to expand the vehicle inspection branch into a para-police force, with the aim of eventually taking over all traffic law enforcement. It is a sell out to the Traffic Branch in this State.

Mr Hamill interjected.

Mr J. N. GOSS: The Minister needs to improve on his forced laughter. The Transport Department is now serious about wanting to use random breath-testing equipment and radar units so that speeds can be checked and the blood alcohol level of drivers ascertained. The Transport Department is currently using Q-cars to police heavy transport drivers. The only way that transport drivers can identify the car is by the number of aerials on it. The cars are unmarked. The Transport Department officers are not using the sites that have been set aside for them along the side of the road. In some instances they have moved 5 or 10 kilometres away from the site in the hope of catching drivers who do not have their log books up to date.

I turn to the issue of transport officers carrying firearms. Approximately a year ago, this matter was raised by the department, and I am informed that senior departmental officers and the Minister quashed it.

Mr Hamill: That is absolute tripe! You are paranoid.

Mr J. N. GOSS: I can inform the Minister that members of the Police Department's heavy vehicle squad, which operated throughout this State, never had to use firearms. They made a point of never wearing side arms. When they were provoked—

Mr Beattie: This is sensationalism again. It was never on the agenda.

Mr J. N. GOSS: No, it is not sensationalism. The Minister likes to make it sound trivial. There may have been some aggression on occasions between the police and the driver of a heavy vehicle. At no stage did the police resort to retrieving a weapon from a vehicle. This issue has raised its head time and time again. I urge the Minister to consider abandoning the idea of issuing firearms to transport officers. The officers in the field do not want firearms.

I also wish to raise the fact that there is no provision to ensure that the same car is not continually pulled over for inspection. The officers could set up an inspection site along the side of the road and every morning the same person could be pulled over. Once a

vehicle has passed an inspection, the owner of that car could be given a small, coloured sticker to place on the windscreen denoting the month. This would indicate clearly that the vehicle has had an inspection within the last six months. I ask the Minister to give serious consideration to the provision of such stickers. This would prevent motorists from being inconvenienced by being pulled over continually. Motorists who drive old cars—and some members of this Parliament drive old cars—are being pulled over continually on their way to work and being inconvenienced. My proposal for the provision of stickers would alleviate the problem.

I am concerned that the transport officers' powers could be abused and that motorists could receive heavy fines because their vehicles have minor faults. The measures contained in this Bill should not become a revenue raiser for the Government. The purpose of the random roadside inspection is to draw defects to the attention of motorists, many of whom would probably be totally unaware of the problem. I call upon the Minister to make the first six months a helpful period in which motorists are advised of their vehicles' deficiencies and are given the opportunity to repair the faults rather than be fined immediately. Many of the people who drive older cars live in the fringe suburban areas. Many of my constituents are single parents who are struggling. Probably through necessity they have neglected maintenance of their vehicles. If these people are fined initially, they will have less money, they will be isolated, they will not be able to take their children to school and they will not be able to travel to their place of employment. A commitment should be given that these people will not be fined for minor offences. They must be given the opportunity to improve the condition of their vehicle.

Another matter of great concern to me is that inspectors have been given the power to search somebody's vehicle. To my mind, this is totally unwarranted. The inspectors need only have a reasonable belief or an indication about the performance of the car in order to enter and search that car and then request the driver to move the car up to one kilometre from where it was stopped. I find this totally unreasonable. If a vehicle is to be detained, then that vehicle should be detained where it is safe for it to be detained. If there is a problem with the vehicle, the registration number may be taken and then the owner called to an inspection station to have the vehicle inspected properly. That would be far better than trying to stop people at night.

The Bill also contains a provision about the failure of a person to produce a document. It is all very broad. We have the Minister's constant assurance that everything will be all right. I do not believe that it will be all right. Late last night, I received a call from a young girl who has just obtained her first job. Her place of employment is a fair way out of town. She purchased a car and was informed by the dealer that there would be no need for a roadworthy certificate because she was buying from a dealer. The girl purchased the car. Her local garage informed her, "Look, there are a few problems with the car. You should get it checked." She had an RACQ inspection carried out. The report on the vehicle had more crosses than ticks. The RACQ declared the vehicle unsafe.

The inspectors should be doing the rounds of those dealers whom the department knows are dealing in unsafe cars and selling them to young people. We have to come down on them like a ton of bricks. This girl could have driven out of that yard and received a hefty fine when it is really the dealer who should be punished. I have passed this information on to the department. An inspection of the yard and the vehicle will be carried out today. I would like to thank the officers of the department for their quick action. The saddest thing is that if the departmental officers show up, the dealer will not be prepared to do anything about the car.

Mr Ardill: What about consumer protection?

Mr J. N. GOSS: As the honourable member is aware, some of those operators set up a yard but are gone in five minutes.

The most basic reservation that people hold is being stopped by someone out of uniform. This legislation allows that to occur. Recently, one of Hughie Williams' boys rang me and said, "My rig is worth \$200,000-odd. Sometimes I carry a load worth a quarter of a million dollars or more. If someone walks out in front of me, what am I going to do?" I said, "I cannot tell you what to do. If the chap is in the middle of the road, what can you do?" He said, "Listen, mate, I will stop when I see his ID, but I reckon the bugger will have a problem getting it out of his pocket while holding onto the bullbar of a rig travelling at 100 kilometres per hour." People are concerned about not being able to stop if an inspector is standing in the middle of the road. For years, police officers have been receiving training in how to deal with people. The Minister is claiming that, after only six months on the job, Department of Transport

inspectors will be able to cope with irate motorists. Police officers receive extensive training at the academy on coping with that scenario.

Time expired.

Mr FENLON (Greenslopes) (11.32 a.m.): It gives me pleasure to take part in the debate on the Motor Vehicles Safety Amendment Bill. I was a member of the Travelsafe Committee when it released Report No. 2 in November 1990. That report contained the recommendations which have led to some of the provisions in this legislation. It is ironic that the member for Aspley took part in this debate. If my memory serves me correctly, on every occasion that the Travelsafe Committee was required to take a vote on any controversial matter—including the report to which I referred—the then Leader of the Liberal Party took great pains to ensure that the member for Aspley was not present, just in case there was a slight possibility that the Liberal Party might have to be committed on an issue. That is certainly consistent with everything that it does.

We have always known that the Liberal Party stands for nothing. Any suggestion that it may be put into a corner and asked to publicly declare a position on an issue sends the Liberal Party into mad disarray. It is hypocritical for the member for Aspley to claim in this House that he has some views on this matter. Those views have obviously just emerged. The annual report of the Travelsafe Committee for 1991-92 indicates that Mr Goss was absent on at least five occasions from the meetings that were held during that year. I recall very clearly that those were the occasions on which significant decisions were being taken.

As this was a specific issue that was referred to the Travelsafe Committee, it undertook a very serious examination of it. The committee conducted inspections around Australia. It was essentially charged with making a decision between two alternatives for motor vehicle inspection. The first alternative was a model that existed in other States such as New South Wales and the ACT. It requires every vehicle owner to put his or her vehicle over an inspection pit and subject it to an inspection procedure every year.

From the inquiries and inspections conducted in other States, the committee reached a very clear conclusion that the system of annual inspections did not really achieve the result sought—to have roadworthy vehicles on the road 365 days a year. The

committee reached the conclusion that, even though vehicles were required to be brought over the pit once a year, owners had a great tendency to leave the vehicles unroadworthy for 364 days a year and then, on the 365th day of the year, they would use tyres from friends' vehicles and go to all sorts of lengths to ensure that their vehicle was roadworthy. In fact, in the ACT the committee witnessed appallingly unroadworthy vehicles entering an inspection station on the basis that the owners would receive an assessment of what was wrong with the vehicle so that they could come back the next week with those problems rectified. Meanwhile, they would be out on the road again with an unroadworthy, unsafe vehicle. In our view, that was an appalling system which worked against the objective of having roadworthy vehicles on the road all year round.

The committee decided that the correct approach was to change people's behaviour. That decision was influenced by the success of random breath testing. That campaign has indicated that changing the behavioural approach of the public is the most effective way of improving road statistics. We must encourage people to do the right thing on the road. The committee felt that that would be a more appropriate approach, rather than forcing vehicle owners to submit their vehicles to inspection once a year. I believe that the committee adopted the correct approach. It would be a great inconvenience to the majority of the members of the public if they had to turn up once a year and have their vehicle inspected. Most people are doing the right thing and keeping their vehicle in a roadworthy condition.

The member for Aspley and other members opposite have taken an approach to this legislation that is contradictory to the approach that they are taking in the RSPCA matter. In the end, are we left to conclude that the Opposition sees it as desirable to have a vehicle pulled up by inspectors who are not in uniform just because a dog may happen to be in the back of a vehicle? Members opposite do not seem to have a consistent approach. They approve of people who are not in uniform pulling up a vehicle to inspect a dog that is travelling in that vehicle. However, they do not approve of an inspector pulling over a vehicle that may pose a threat to human life. We hope that they will find—

Mr Davies interjected.

Mr FENLON: I take the interjection from the honourable member. The conclusions of the Travelsafe Committee are significant, and

they should be placed on the record. Recommendations I, II and IV are the most relevant. Recommendation I stated—

“That compulsory periodic inspections of private passenger vehicles be NOT introduced, as it would be an inappropriate diversion of community resources, which could be better applied to more cost-benefit-effective areas at this point in time.”

Recommendation II stated—

“That random tests of motor vehicles and motor cycles be carried out throughout Queensland on a systematic basis using modern machinery to expedite the procedure and to provide an accurate and consistent assessment.”

Recommendation IV stated—

“That police be required to pay close attention to obvious safety defects such as worn and faulty tyres, steering, brakes and inoperative mechanical parts.”

I know that there has been a lot of paranoia and overreaction out in the field about getting rust buckets off the road. It always makes a handy headline for Sunday paper journalists who cannot find anything else to write about. But, when it comes to that issue, it is an overreaction and emotional. As I understand it, the only rust that safety inspectors are really looking for is rust of a structural nature which would affect the integrity of a vehicle upon impact. A bit of surface rust, as we see in many vehicles on the road, really is not a substantial factor that will warrant vehicles being put off the road. If it is a structural matter in terms of affecting the safety of occupants of a vehicle, it should be dealt with.

In Queensland, the Travelsafe Committee recommendations will stand the test of time. We have to change the behaviour of people on the road to ensure that they have a consciousness about having safer vehicles on the road and looking after them as best they can.

I will touch also upon the general hysteria and fear that has been whipped up in the community about vehicles being pulled over. I note the pronouncements of the Minister about the regulations that are to be promulgated after the enactment of this legislation, as well as the clear dictates of the Bill that is before the House. The prospects of having vehicles pulled over at night time are under a few headings. That has been clearly a concern to the public and it has been a concern to me. As a member of the Minister's committee, I am pleased that we were able, in

working with the Minister, to achieve a sensible balance.

At night time, any roadside inspection will have uniformed police officers in attendance. Under the pronouncements, there will be no mobile operations pulling people over at night. Night time is a time when there is greater ground for fear and apprehension. There is a sensible balance in that police officers will be present and, in that sense, there is no change from the status quo.

As to the issue of persons not in uniform pulling people over—there is only one circumstance in which a person not in uniform can pull a driver over. It is very clearly pronounced now that that can occur only where a life-threatening situation is apparent. I suggest that there would be plenty of other citizens in the community who are likely to pull up beside somebody and tell that person if a life-threatening situation is apparent. Frankly, the driver would make the same level of judgment no matter whether it was an authorised officer wishing to notify a driver that a life-threatening situation occurs or a non-authorised officer. The persons would make a judgment about the vehicle that they are driving, the safety of where they could pull over and the apparent credibility of the person who is attempting to pull them over. The safeguards under the law for such a situation are clear and adequate.

There are two provisions, which have already been referred to in this debate, which consist of defences for persons who would in those circumstances refuse to stop or pull over. The first defence is that a person may refuse to pull over if that person has a reasonable excuse, that is, to obey the requirement immediately would have endangered the person or another person. The second defence is that the person would have a reasonable excuse if that person stops the vehicle as soon as it is practicable to stop it. I suggest very strongly to the House and the Minister that, should persons who are asked to pull over by an ununiformed officer have the slightest doubt that they may be endangered by pulling over and by being required to pull over by another person, uniformed or ununiformed, they do not pull over.

I ask the Minister to confirm these understandings in his response to this debate. That is the advice that I will be pursuing and providing to other people. I reiterate that, if there is the slightest doubt in people's mind that they are in any danger, that the person who is asking them to pull over is not credible,

they should continue to drive; and, if there is still imminent danger, they should drive to the nearest police station or some such area where they feel safe. That would apply no matter who was trying to draw attention to the person's vehicle or to some particular problem.

The provision in terms of the prospect of an ununiformed officer pulling a person over in that extreme situation is there for a good reason: to ensure that life is not endangered where it is very clear that, for example, a hissing brake line is detected from a school bus at an intersection. It is important that the bus is not allowed to proceed, that it can be drawn to the attention of the driver and that something can be done about it quickly. This is not a provision that would be used every day of the week; it is the great exception rather than the rule. I would expect that that would be handled appropriately.

The other point that I would refer to in terms of pulling people over relates to the daytime inspection stations. That can occur only where a driver is pulled over by a marked car, and the same provisions would apply again if people feel threatened or unsure about it. They should not pull over unless they feel sure. As well, where there is a checkpoint, I believe that that will not be attended by police and will be bigger than Ben Hur in terms of its prominence at the roadside and its clarity as an authorised inspection station.

Finally, I will touch upon some of the specific details which relate to unroadworthy vehicles. Random vehicle inspection operations in 1992 covering 2 019 vehicles at 60 locations reveal that 60 per cent were classified as defective. Although these vehicles were heavily targeted on the basis of being potentially defective and do not provide an indication as to the general condition of the vehicle fleet, they do indicate that the incidence of defective and unroadworthy vehicles is such as to demand attention from the Government through the Department of Transport. Although it is very hard to find a common thread in terms of the correlation between defective vehicles and accidents and life-threatening situations, it is clear that there are enough to warrant attention to this issue.

During the Travelsafe Committee examination of this matter, I think we detected a range in the studies of somewhere between 1 per cent and 20 per cent. During that period to which I have referred, the most significant and alarming defect that was found was faulty brakes. A total of 28 per cent of vehicles inspected had faulty brakes. This trend is also evident with heavy vehicles, where brakes top

a list of common defects, followed by lighting, tyres, steering and suspension. Scrutiny of the results of random inspections indicates that the most prominent defects are brakes, lighting and tyres for both light and heavy vehicles.

Random inspection has been shown as being the most effective means of achieving and sustaining an ongoing compliance with vehicle safety standards. This is part of a program to change behaviour through increasing the perceived risk of detection. This involves moving away from the current reliance on annual inspections.

The increased inspection of the private passenger vehicle to reduce the number of unsafe vehicles using the roads is complemented by a change in focus in the inspection of commercial vehicles from an annual inspection to greater emphasis on random inspection that concentrates on those areas of vehicle safety that present the greatest risks to the community. This change of focus is made possible by changes to the inspection arrangements for commercial vehicles, which redirect some 20 per cent of the current inspection workload of the department to private enterprise in the form of Approved Inspection Stations. This will allow some 23 000 staff-hours of the Department of Transport's trained vehicle inspection resources to be allocated to random vehicle inspection operation.

Time expired.

Mr GRICE (Broadwater) (11.52 a.m.): I will not support sections of this Bill under any circumstances. It is bad legislation, it is sloppy legislation, and it is badly thought out. Most importantly, it poses real dangers for the citizens of this State, especially the female citizens. It is a typical, shonky, Labor answer to a real problem with a simple solution.

Ms Power interjected.

Mr GRICE: The honourable member will find, as she staggers through her career, that it is just as easy to be pleasant. The problem is the number of unroadworthy vehicles running on our roads. I might add that Labor has had a good bit to do with creating the problem in the first place. Too many people can no longer afford to upgrade the family car regularly. It is hard to do that when they have been thrown on the unemployment scrap heap by an uncaring Labor Party Government. Even the few people still in work—that is, the ones whom Labor's economic rationalists have missed so far—have a real struggle to make ends meet. The recent Federal Budget increased the price of

petrol yet again. For those who must drive older cars, there is also the added increase in the price of leaded fuel.

But to get back to this crazy piece of legislation—there are too many unroadworthy vehicles around because people cannot afford to trade up, and they cannot afford to service their older cars. The answer lies in regular pre-registration inspections, or even six-monthly inspections, if the Government wants to be really intrusive. It does not lie in a system that allows a bunch of half-trained cowboys to roam all over the State pulling up whomever they choose. It does not lie in allowing them to operate out of uniform and without identification. It does not lie in \$1,200 fines for people who are too frightened to pull up on a lonely road—there is provision for that—for a person who just might—and I repeat "might"—happen to be an inspector. It does not lie in allowing for the arrest of people whom the inspectors might suspect of giving a wrong name or address.

The solution certainly does not lie in setting up competition for the police, who have done a good job on our roads to date. That point applies especially to a group of public servants with no police training, no police oath to live up to, and no concept of the rights of the citizen. Nobody enjoys being stopped by the police, but we all realise that they are a capable, trained and disciplined group. The same cannot be said for Hamill's Gestapo.

The Minister has reacted badly to the community alarm over this initial move to set up an untrained but very well equipped second police force to harass the people of Queensland. It would be an understatement to call his responses less than convincing. The Minister has tried, but the Bill itself puts the lie to the garbage pouring out of the publicity machine. There is nothing in this legislation to allay any of the fears that people have legitimately expressed. The Minister has said a few things about what would happen, but I am attracted to a phrase that is gaining a lot of currency these days, that is, "as dinkum as a Labor promise".

What about the fears that people will have to stop on lonely roads at night for someone who might be a transport inspector out of uniform? That is not so, says the Minister; the inspectors will be in uniform, and at night they will be accompanied by police. That sounds reasonable, does it not? But where does it say that in the legislation? Nowhere! The Minister has also been interviewed on radio. He said that women

should not fear the activities of his private police; that there will be no doubt about who they are; and that, anyway, a motorist who is unsure can keep going.

I refer the Minister and the House to pages 10 and 13 of the Bill. Page 10 states what happens with identification when an inspector or accredited person is not wearing a uniform. A person not wearing a uniform does not have to produce identification at the time that he attempts to pull up a driver. He just has to do so later on. So Hamill's Gestapo can run around wearing what they like, and without identification. There is also nothing in the legislation requiring them to travel in clearly marked cars that would identify them to their targets.

That they will be cruising, looking for targets, is made clear on page 13 of the Bill. There is a whole section devoted to the fact that inspectors have the power to stop vehicles at other than a checkpoint. On top of all this, the Minister decides that failure to obey someone who is out of uniform, not carrying identification and driving an unmarked car should attract a \$1,200 fine. What is more, those cowboys can even ask the police to arrest someone whose only crime was concern for his or her personal safety. Hamill's heaven sounds more like a South American nightmare than the workers' utopia.

Any citizen who is willing to stop for an unidentified man in an unmarked car on a lonely road is taking a huge risk. A woman who did so would be out of her mind. I have suggested to my wife not to even consider it. I have told her to drive to a police station and report any attempt to have her pulled over. I was pleased to hear a previous speaker agree with that concept. I am very much aware that anybody could get hold of a siren or even an official looking sign to hang out of a car window. There are too many crazies running loose in Queensland for any sensible woman to run that risk.

The worst kinds of violent criminals are turned loose on society by a Government that cares a lot more for the supposed rights of the criminal than for the real people of decent society. Many of us are aware of the pitiful sentences handed out by judges to rapists and bash artists. Many of us are absolutely appalled at the official early release program, which sees violent offenders back stalking their victims after serving only a fraction of their sentences. The unofficial early release program—the take off when you feel like it scheme—is another indictment on the Government.

With people like that running loose, I was not surprised to hear the comments made the other night on ABC radio after the Minister tried to justify this nonsense. Caller after caller came on the line, and the message from each was similar: to drive on regardless. The same good advice was given on television just a few days before by a Police Union official, who said, "Drive straight over the top of them." I endorse that advice wholeheartedly. It is advice that is also endorsed on the other side of the House, but often secretly. I would be willing to bet that not many members opposite will have the bottle to buck the system and vote against this prescription for misery.

Ms Power: He's not into gambling.

Mr GRICE: I will not disappoint members. I will bet all that the Socialist Left rhetoric will not count when it really comes to protecting the innocent from the vicious. The slow learners know that the Premier's faction has the wood on them. At the end of the day, fear beats principle every time.

Mr Dollin interjected.

Mr GRICE: That is an interesting comment from a currently endorsed member. As I said, fear beats principle every time. I realise that, in the face of Kevin Rudd's directives, even the Minister's written guarantees have meant little for rail users. But the people of Queensland deserve some unequivocal assurances. They need to know that the Minister's private police force will not ever be given the right to carry firearms. If they are operating properly at testing points where police are present also, they will never need protection. We should not have to seek such an assurance, but some police have told us that they are absolutely convinced that firearms are already on the shopping list. We need an assurance that transport inspectors will not join the Government's revenue effort by operating radar devices of any kind. If they were to get radars, that would put the lie to the Minister's claim that they exist just to get bombs off the road. It would also confirm police fears that there will be a new group out on the roads complicating their own task.

Queenslanders also need an assurance that these untrained, Clayton's cops will never be permitted to engage in chases. We all know some of the tragedies resulting from chases undertaken by police, even with their specialised training in high-speed driving and keen appreciation of the necessity or otherwise to give chase. The lavish equipment showered on the transport inspectors includes very good communications. If they want someone badly enough, they should call

police and ask them to undertake the job. It would be totally unacceptable for transport inspectors to get involved in chases. However, I regret to inform the House that I have reports of them already having participated in chases. As far back as two years ago, there were reports of motorists being run off the Warrego Highway between Brisbane and Toowoomba by men in grey uniforms driving unmarked Holden V8s. I challenge the Minister now to give an ironclad guarantee that only police will be permitted to carry firearms on duty, operate radar and engage in chase activities.

Mrs EDMOND (12.02 p.m.): I have to say at the outset that this legislation has not been brought in as a trivial measure; it has been thought about seriously. It has grown out of a Travelsafe report endorsed, I understand, by all members of that committee from both sides of the House. To listen to some of the people who have spoken previously, one would think that they either had nothing to do with it, did not want to have anything to do with it or could not understand it. The hysterical diatribe of the member for Broadwater has brought new and tragic evidence to this House of the need to urgently reduce lead in petrol, especially for those who overindulge as they are drivers for a brothel in Melbourne. I cannot understand how any sensible, thinking person could oppose this legislation.

Mr GRICE: I rise to a point of order. That matter is the subject of a defamation writ and, therefore, is sub judice. It should be withdrawn.

Mrs EDMOND: I withdraw that. Confirmation of the need for this legislation comes in this recent report on the road toll. An analysis of crashes indicated that 25 fatal crashes involved vehicle defects—seven per cent of fatal accidents and five per cent of all crashes. This legislation, as other people on the Government side of the House have taken the time to point out, has the potential to save 20 lives a year. As I said before, it has not been introduced frivolously or lightly, but out of genuine concern for the safety of road users.

I reject any suggestion by the member for Gregory that inspections be held only in set places during set hours. That would make inspections avoidable by any driver who wanted to avoid detection. It goes against the whole grain of the legislation, and makes the whole point of it—

Mr Johnson: It takes the fear out of it.

Mrs EDMOND: Of course it does, because motorists can avoid it, which means that they would not comply. Any cowboy driver

out there who did not want to be inspected would say, "Well, I'm not going to go past the set inspection place during the set hours, because I might get inspected and they might tell me that I have to improve my vehicle safety." Goodness gracious me! Why do we not have set places? We are going to have set places for radar traps next, and set places that motorists can avoid for drink driving so that the next time the police pull up a motorist for a random check, that driver knows exactly where it is going to be and he or she can avoid it. What a nonsense!

Mr Johnson: So you support the scaremongering? You support it.

Mrs EDMOND: I do not support the scaremongering, and I will get to the scaremongering, because my office has had phone calls, too. When I have spoken to those women, they have said, "Why didn't those dills explain this?" Why did we have the likes of the member for Aspley on the radio scaring the women of Queensland? I have explained the circumstances and they have said to me that we should do something to prevent people such as that member scaring the people of Queensland. If their cars are defective, or if their cars are in danger of having an accident, they would rather someone indicate that to them. A couple of years ago, my husband had the experience—

Mr Johnson: Why didn't you go on the radio and defend it if you thought it was so good?

Mrs EDMOND: I spoke to those people who rang my office. The Minister went on radio and put down that nonsense and told them the facts. I will tell the honourable member how it does work. My husband was driving on a road when he saw flames coming out from under the bonnet of a car next to him, which was being driven by a woman. He tried to indicate to her that something was wrong with her car, and it took him quite a time. It was not until he sped up, raced ahead of her, stopped his car and leapt out of his car flashing a fire extinguisher that she suddenly realised that there was something wrong with her car. She stopped, and she was most grateful that he did not let her fry in her car. I think in that situation I would be grateful, too. Funny as it may seem, some of us have a bit of commonsense. We are not going to stop for the loony on the side of the road in a dangerous place, but we are going to pay heed to people who are trying to help us save ourselves.

In 1992, random vehicle inspection operations covering 2 019 vehicles at 60 different locations revealed that 60 per cent were classified as defective—not a few, but 60 per cent. While I admit that these vehicles were targeted because they were seen as being old and potentially defective, it provided an indication of the seriousness of this problem; it provided an indication of the general condition of the vehicle fleet and a right of people to have that concern. The most significant and alarming defect was not a minor, trivial thing—and we keep hearing that people are going to be pulled over because of trivial things—but it was faulty brakes. Twenty-eight per cent had faulty brakes. Personally, I would rather not be on the road with 28 per cent of drivers having faulty brakes. I would like to think that they could stop, especially in the hilly areas of Brisbane where I live. This trend is also evident with heavy vehicles, where brakes topped the list of common defects, followed by lighting, tyres, steering, suspension—all serious concerns.

It has always remained a mystery and a real concern to me that the car used by the wife and children is most often the family's second car. That is to say, the most vulnerable family members are more often in the cheaper, older car, which has older brakes and older tyres, and which is less likely to have modern, in-built safety devices. They are driven in these cars to playgrounds, sport, schools and shopping while the newer, more prestigious and generally better maintained and obviously safer vehicle is driven to work by the husband, and probably remains parked there all day. Of course, there has been a successful tyre-marketing campaign based on the data that showed this to be the most common case.

This Bill is not an attack on mothers and children, nor on older cars, but a recognition of the need for the safety of all road users, including those who occupy those cars who may not know that they are unsafe, and the other people who share the road space.

My office—and I am sure that it is not alone in this—receives many complaints from constituents regarding motor vehicles that are spewing out black smoke and obviously have defective exhausts and mufflers. There is a strong suggestion that such poorly maintained vehicles, while being significant environmental nuisances, are also likely to have poorly maintained safety equipment. Random inspection has been shown as being the most effective means of achieving and sustaining an ongoing compliance with vehicle safety standards. This is part of a program to change

behaviour through increasing the perceived risk of detection. It involves moving away from the current reliance on annual inspections, and moving away from set inspection points at set inspection times.

The Parliamentary Travelsafe Committee also recognised this problem. The committee recommended that the problem be addressed by the carrying out of random tests of motor vehicles and motor cycles throughout Queensland on a systematic basis, using modern machinery to expedite the procedure, to provide an accurate and consistent assessment. The increased inspection of private passenger vehicles to reduce the number of unsafe vehicles using the roads is complemented by the change in focus from an annual inspection of commercial vehicles to greater emphasis on random inspection, which concentrates on those areas of vehicle safety that present the greatest risks to the community. Anyone who knows personally, as I do, of a large number of heavy vehicles mixed with private vehicles travelling along hilly streets would understand the community concern that those vehicles be maintained at utmost safety levels.

The change in focus has been made possible by changes to the inspection arrangements for commercial vehicles which redirect some 20 per cent of the current inspection workload of the department to private enterprise in the form of approved inspection stations. This will allow a freeing-up of the Department of Transport's trained vehicle inspection resources to be allocated to random vehicle inspection operations. Random on-road inspection of vehicles, both commercial and private, will become a regular part of the operations of the department's inspectors who are stationed at centres throughout the State from Cairns to the Gold Coast—hopefully this will have some impact on some of the behaviour at the Gold Coast—and west to Roma, Longreach and Mount Isa.

The mobile vehicle inspection units include a roller brake-testing machine. These units are designed and built in Queensland costing \$200,000 each and were purchased from the Federal Black Spot Program.

Mr Johnson: That has been abandoned.

Mrs EDMOND: The units were purchased from the program. I actually think it is disappointing that the Black Spot Program was abandoned because it was a source of income used to target some of the problem areas in my electorate, for which I was very grateful. These units enable inspectors to

undertake accurate and consistent on-road assessment of the roadworthiness of vehicles, and have already made an enormous impact throughout the State. I reiterate that the inspectors are not looking for minor defects. While they will include a detailed dot point check of everything they can think of, the inspectors will also include an inspection of the brakes, steering, tyres, lighting, exhaust, emissions—to ascertain whether they are smoke-free—suspension, windscreen wipers, horn, rust and the turntable kingpin. These units will assist, as part of the random vehicle inspection program, in raising community awareness of vehicle safety issues and will create a strong deterrent for those who currently drive unroadworthy vehicles.

These changes will assist the department to concentrate on getting unsafe vehicles off the road through stepped-up random on-road enforcement activities. The penalties for defective and unroadworthy vehicles were increased from \$60 to \$120 respectively in January this year to emphasise the seriousness of the Government's concern about unsafe vehicles using the roads, and the potential for the owners of unsafe vehicles to cause injury to themselves and others. These initiatives to improve vehicle safety through random inspections have the support of prominent industry organisations, including the Motor Traders Association and the RACQ.

While concerns have been expressed about the unnecessary issuance of defect notices for minor defects, the Department of Transport is currently reviewing its procedures for the treatment of defective vehicles to include notices to repair that do not have a penalty for minor defects, such as a faulty tail light. Those notices will require the vehicle's owner to have the repair effected and advise the department accordingly; in other words, it is a self-clearance procedure. More serious defects will be dealt with according to their severity, which will indicate the level of penalty to apply.

Serious consideration was given to how this Bill would impact on the public. As I said earlier, there was consultation with and support from the RACQ and the Motor Traders Association of Queensland, the Queensland Road Transport Association and the Queensland Police Service. In particular, I, as a woman, raised the question of lone, female drivers being stopped at random checkpoints and the common problem of being stopped when a child is waiting for collection from school or sport. A lot of silly nonsense has been generated about this issue by, in particular, the member for Aspley. In certain

emergency procedures—as I indicated earlier—an off duty, out-of-uniform officer could warn a motorist of a potentially dangerous situation. Surely this is something that anyone mechanically knowledgeable would warn of, in dangerous circumstances. Police officers are certainly expected to do this whether they are in or out of uniform.

I received a lot of calls on this issue, but when I explained to the women making the calls the circumstances in which this procedure would be used, they were quite relieved and accepted it as being a sensible solution. They have taken my advice and that of the Minister, that is, if they are concerned, to seriously look at the warning lights on their car which indicate overheating or some other problem that can be readily identified and, if truly in doubt, drive on to the next police station or to some place where they can get help.

I was appalled to read a comment by Bob Brummel in the *Queensland Police Union Journal* of August 1993. Because I think it is so serious, I will read it into *Hansard*. It makes one wonder what members of Parliament are doing. I understood the member for Aspley to indicate earlier that this comment was printed on his advice. The article states—

“Imagine then the state of the community if public servants have total authority and power to stop any motor vehicle, at any time, at any place on the aspect of vehicle safety. These public servants (rumoured to be cowboy type inspectors) may be able to do so, whilst not wearing the uniform, and only required to produce identification when practicable and they may be wearing concealable firearms allegedly for their own protection. How safe do the womenfolk of our community feel now???

This whole concept is being presented and promoted by a Transport Minister of this current Government supposedly for the benefit of society—I believe that the instigator of this ludicrous scheme is off with the pixies!!”

I believe that the member of Parliament who gave this misinformation to the Queensland Police Union is reprehensible. I say that in the strongest possible terms. I believe people who deliberately hand out misinformation which refers to “cowboy type transport inspectors . . . wearing concealable firearms” should be stood down from this House.

In recognition of the special concerns of women drivers, the Bill's accompanying regulations specifically exclude the random checking of non-commercial vehicles at night.

Mr Deputy Speaker, I ask you how far we can go in being responsible in this Bill while still copping the silly nonsense we have heard from members opposite? Regularly in this House, we receive mixed messages from Opposition members. On the one hand, they denigrate this Government for increasing the numbers of nurses, teachers and police—thereby adding to the budgets of those departments—yet criticise any move for improvement in efficiency in these areas. This measure, which will result in the use of transport officers in this role, is a move towards efficiency in the department.

The member for Aspley criticised delays in presenting this Bill; yet, as a Government, we are constantly accused of both rushing through too much legislation and also concurrently of not doing enough. Almost daily, we hear that we are placing too much emphasis on warm, fuzzy issues such as road safety and social justice. I am proud to support these warm, fuzzy issues and I make no apology whatsoever for pursuing a fair social agenda, and especially for pursuing the highest possible standards of road safety.

Mr Johnson: Nobody said you put too much emphasis on road safety.

Mrs EDMOND: Today's Bill deals with this issue, and I support the legislation wholeheartedly—against the opposition of the member for Gregory.

Mr LAMING (Mooloolah) (12.19 p.m.): In rising to speak on this Bill, I commence by reading the objective as stated in the Minister's second-reading speech. He stated that the objective "reflects clearly the Government's commitment to reducing the number of unsafe vehicles using our roads". I do not believe that anybody on the Opposition side of the House has any intention of saying anything against that objective. We believe strongly in road safety and the use of safe vehicles on our roads. However, there is some concern on the part of members on the Opposition side of the House which I think has been misrepresented by speakers on the Government side. There are some aspects of this Bill that are of concern to us. It seems that the Bill is somewhat of an omnibus Bill. It contains many different clauses, and the part with which we have some concern relates only to random on-road inspections and specifically the replacement of police by inspectors of the department.

The comment has been made that the legislation springs from the Travelsafe Committee report, and that a number of other recommendations of the committee have also

been implemented. That was stated once again by the Minister in his second-reading speech. The role of the committee is very important, but we must bear in mind that it is the role of the Parliament to be responsible for legislation. It is the role of the Parliament to be responsible to industry, to departments, to vehicle owners, and to the public at large.

The committee, of course, fulfils a very valuable role in collating information and putting forward recommendations. The work of that committee is endorsed, and I believe that it does a very good job. However, I am told that there was not any discussion—and I would like the Minister to comment on that in his reply—

Mr Hamill: I am not a member of the committee.

Mr LAMING: But the Minister has referred—

Mr Hamill: It's not my committee; it's the Parliament's committee.

Mr LAMING: I will take the interjection from the Minister and I will refer back to what I just said, that the Minister in his second-reading speech said that a number of recommendations of the Travelsafe Committee will also be implemented. I believe that there was not any discussion, let alone any recommendation, on taking police out of the vehicle inspection process, and I would like the Minister to respond to that in due course.

Mr Hamill: Say that again.

Mr LAMING: There was not any discussion or any recommendation from the Travelsafe Committee to take police involvement out of the vehicle inspection process.

Mr Hamill: The police aren't taken out. You were misled.

Mr LAMING: We will hear from the Minister in due course.

Mr Hamill: You might have heard that under the legislation police are ipso facto inspectors—if you had read the legislation. You are obviously confused.

Mr LAMING: I am not confused. In his speech, the Minister said that the inspectors would take over the role of the police, therefore taking the police out of that process. That was not, I believe, a recommendation of the Travelsafe Committee.

One of the suggestions made in the legislation—and it has not been raised in the debate so far—is that trailers undergo

roadworthiness tests before sale. I believe that small trailers in particular are merely an extension of a vehicle, and most problems on small trailers would be related to the lights. One of the problems with testing trailers is that they could be tested as being safe on one vehicle but unsafe on a different vehicle. That is because of the connection of the electrical system. A trailer could be okay on one vehicle but, if put on another vehicle, it might not pass the safety test. I refer also to vehicles fitted with brakes. A very serious aspect of safety on trailers, particularly those with heavy loads, is ensuring that their brakes are up to scratch. They should be inspected. That is one part of the Bill that I would support.

Another clause refers to the provision of authority to Department of Transport inspectors to stop all vehicles and require information. I would like to hear the Minister's response to whether he has indeed asked the Minister for Police and whether he has checked with other members of the Police Service, particularly the commissioner who would be in touch with members of the Traffic Branch, as to whether they believe that this is in the best interests of the public at large. I have spoken to senior members of the Police Service, who do express some concern. I would like the Minister to respond to whether the Police Service has been spoken to and liaised with in relation to that.

Mr Hamill: Extensively.

Mr LAMING: Good. I would like to hear some details on that in the Minister's reply. Another clause of the Bill states that inspectors will require information. When members of the public are confronted with inspectors who have the authority to require information, they could well be excused for being confused and concerned as to what sort of information can and cannot be demanded.

Some people who would be pulled over, for instance, might feel that the level of information being requested is beyond that which is necessary for a vehicle road safety inspection; they might say so in appropriate terms to the inspector, and that could lead to tensions. How will the drivers know what information must be given? It is not adequate, I suggest, to say that it is in the regulations, because the average driver does not drive around with a copy of the Act, let alone a copy of the regulations, in the glove box.

Mr Hamill: Nor do they carry the Traffic Act on them.

Mr LAMING: I will take the interjection.

Mr Hamill: They don't carry the Traffic Act and the Traffic Regulations with them, either, do they?

Mr LAMING: No. The Minister says that drivers do not drive around with the Traffic Act in the glove boxes of their cars. If police officers ask people in the community for a certain level of information, over many, many hundreds of years, people have been used to answering those police officers. I do not believe that is the case with inspectors, and I do not believe that it will be the case with inspectors for a long time to come.

Mr Hamill: The Police Service hasn't been around that long.

Mr LAMING: It has been around for how long—300 or 400 years?

Mr Hamill: No way!

Mr LAMING: Perhaps not the Queensland Police Service. The regulations will specifically exclude mobile interception of non-commercial vehicles at night. I would like the Minister once again to make a note of this question: why cannot those provisions be a part of the Bill? The issue of whether or not there can be intervention of non-commercial vehicles and whether that can be at night is a rather fundamental part of the legislation. We have heard some debate backwards and forwards about what would be the order of the day and what would be in the regulations. I believe that it should be in the Bill so that we know what we are debating here today. Is it intended that mobile interception and night operations will be excluded, or does the Minister mean only night interceptions? I believe that the power to mount both night operations and non-police random interceptions should be removed from the Bill.

Going further through some of the matters of concern that have been expressed by others and again by me today—the chief executive may appoint an inspector subject to his opinion of that person being able to do the job. I find that to be short of what should be required for a person who is going to use such wide-ranging powers. I do not believe that it is good enough when so much power is being given. The police, however, who have enjoyed the power in the past, have been thoroughly screened and have been trained over a long period to be able to use the sorts of powers that they are given.

We find that a later clause of the Bill allows inspectors to exercise their powers while not in uniform by showing ID. It sounds to me as though that too easily provides an opportunity for fraud. We know that it is an

offence for a person to impersonate a police officer. I am not sure—and I did not see it in the Bill and I have not seen it in the second-reading speech, so the Minister might like to comment—whether it will be an offence for a person to impersonate an inspector of the department. That might be something that should be looked at. It would be a very dangerous precedent if someone were to don the uniform of an inspector and be able to pull a car over, for whatever purpose.

With respect to inspectors requiring drivers to stop at other than a checkpoint—once again, could that mean at night? That is not in the Bill. Could that mean on a lonely country road? In the past, the RACQ and the police have advised people who have any concerns about people hailing them down, “Do not stop.” I asked the Minister earlier whether he had asked the police about this matter. He informed me that there have been extensive discussions with the police. I would like a detailed outline of those discussions. Organisations such as the RACQ have informed motorists that they should not stop but immediately drive to the nearest police station for assistance.

Power is given to the inspectors to require people to open closed doors and compartments of vehicles. This is obviously meant to include the boot and could include the glove box. This is not reasonable, for safety reasons. It could put an inspector's safety at risk if he or she stumbled upon a burglar. This is not a point that has been adequately made in debate so far. If an inspector requires somebody to open the boot of a car and the person has just left the scene of a burglary and the boot is full of stolen material, this has the potential to be a very dangerous situation. The situation is dangerous for the inspector. The inspector would be in a dangerous situation that he or she obviously would not be trained to handle. It could develop into an ugly and perhaps even fatal incident.

The Bill goes on to state that it is not an offence not to give reasonable assistance and that the provision does not apply if the person has a reasonable excuse. The average driver does not have that sort of knowledge of the regulations, or a copy of them in the vehicle. Drivers may need to have a lawyer sitting in the back seat in case they are detained by these inspectors and requested to do all sorts of things that they believe to be unreasonable. I believe that I am speaking for all members on this side of the House when I say that only police officers have the training required to handle these sorts of situations.

The Bill contains provisions in regard to documents being produced. These, too, have obvious dangers. The Bill requires a person to give his or her name and address to an inspector and possibly evidence of its correctness, and failure to do so is an offence. This gives considerable power to a person who is not a trained police officer, and could lead to abuses of power. The Bill also contains provisions which give similar powers in regard to the answering of questions.

Taken separately, the matters to which I have referred are of some concern. A combination of some of these situations could create a scenario in which members of the public would be quite within their rights to be reluctant to comply with the directions of inspectors. The Bill gives numerous powers to inspectors and I believe, to a certain extent, erodes the rights of the public even more. If this legislation is passed, there should be a maximum time that drivers can be delayed while going about their lawful business.

Speakers on both sides of the House have referred to people being delayed for considerable periods of time, which could lead to tempers being frayed, and there will be no police officer on site. While I do agree that unsafe vehicles should not be allowed on the road, the Minister must recognise the main reason that people drive such vehicles. People just cannot afford new vehicles or cannot afford to have their older vehicles maintained. In addition, a savage campaign on questionable cars will throw a lot of people onto a hopelessly inadequate public transport system, particularly in regions such as the Sunshine Coast. The recent increase in taxes on leaded petrol will be a further impost on the drivers of older vehicles and could delay their decision to make the necessary repairs.

I refer to comments made last night in this Chamber by the member for Brisbane Central, who spoke after the member for Gregory and who had great difficulty in answering some of the charges. He commenced by saying that the Government's commitment to reduce the number of unsafe vehicles on the roads of Queensland is the reason behind this legislation. I say that is very, very good. All the members on this side of the House agree with that aim. The concern that we are expressing has nothing to do with reducing the impact of the legislation regarding the safety of vehicles. It is confined to the taking of police officers from the checking process.

Nothing has been said on this side of the House which implies that we do not care

about safe vehicles or road safety. The member for Brisbane Central had the audacity to say—

“All the mealy-mouthed opposition that we have had to this legislation in this House and outside this House really says, ‘I don’t care about those 20 people every year who are killed on Queensland roads.’”

That is quite a dreadful thing to say. I reject it. My colleagues also reject it. We all have concern for the drivers on Queensland roads. There is also concern for the safety of the inspectors themselves, which has not been reflected in this Bill. The inspectors could find themselves in situations of danger when, under the existing legislation, they could have the back-up of police on site. The member for Brisbane Central was critical of the member for Aspley and said that he should be ashamed. The member for Brisbane Central should be ashamed for misrepresenting the opinions of the member for Aspley. The member for Brisbane Central went on to say—

“None of them had the guts to be honest about what proposed new section 18E (2) says.”

That subsection states that it is a reasonable excuse for a person not to stop if to obey the requirement immediately would endanger that person or another person or, if a person believed on reasonable grounds that those were the circumstances, he or she would not have to stop. This is a ridiculous retort. If that person decides not to stop for a random check simply because—

Mrs Edmond: An unidentified check.

Mr LAMING: I will take the interjection. It would be only on very rare occasions, that is, if the life of a person was in danger. It would be rare indeed if someone on the road was in danger, but the driver might be very concerned about the bona fides of the person doing the pulling over, and, even if that person continued to drive to the nearest police station, under this legislation his action would be illegal.

Government members: No!

Mr LAMING: That is what the Bill says. This was the recommendation of the Travelsafe Committee—

“It is therefore recommended that unregistered and uninsured vehicles be removed from the roads by the process of random checks, increased police surveillance and increased penalties for offences.”

The member for Brisbane Central read this recommendation from the Travelsafe Committee report, which recommends increased police surveillance. He then turned around and supported a Bill that removes the police from the surveillance process. In this climate of fear, that is a ridiculous thing to say. The contribution by him, as well as vilifying some of the members on this side of the House, did not even support the intention of the Bill.

The Bill says that transport inspectors are professionally trained enforcement officers. There is a new wording in this Bill—transport officers are now enforcement officers. My dictionary says that “enforcement” means to compel obedience. There is a new theme here: they are enforcement officers, they are pseudo police. The potential for danger is enormous. It will be necessary not just to train the officers in their duty but, because of the hidden agenda, train the public to start taking notice of a new breed of enforcement officers. It sounds to me like some sort of new world order. We should be very concerned about this aspect of the legislation.

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (12.39 p.m.), in reply: After hearing some of the tripe that has been dished up in this debate over the past couple of days, it is very difficult to take seriously the Opposition’s claims that it has a commitment to road safety. I am particularly disappointed with the members of the National Party. I remember when, during a debate on road safety, the then National Party Transport spokesman—the erstwhile member for Flinders, who has now gone to another place—attacked the Queensland Government’s efforts to crack down on drink-driving. Mr Katter delivered a diatribe attacking our efforts in random breath testing. He saw that as infringement against people’s rights to indulge in alcohol and get behind the wheel of a vehicle.

Mrs Edmond: And kill the odd person.

Mr HAMILL: I take the interjection. It is also difficult to take seriously comments by the Opposition that it supports road safety when it has fostered a climate of fear and concern in the community by denigrating and misrepresenting this important road safety measure. Opposition members know only too well that the claims they are making are false.

Mrs Edmond: Shameful, isn’t it?

Mr HAMILL: It has been a shameful exercise. Contrary to the way in which legislative processes worked when the

Opposition was in Government, my department has given a number of briefings to members of the Opposition as to the meaning of this legislation and its implications. It is just a shame that some of those who attended the briefings did not do the running in this Parliament. I note also that some of those who received briefings on the meaning of the legislation were not the ones making ill-informed and quite scurrilous public comments in relation to these matters. I suppose that is what irresponsible Opposition is all about—going out of its way to create a fear campaign in the community; generating a lot of heat and not much light. It reflects very poorly upon those members opposite who have indulged in such an unprincipled and quite scurrilous campaign.

During this debate, a number of wild claims have been made. They fall into several categories. One relates to the very nature of the inspectors who operate under the Motor Vehicles Safety Act. While the legislation sets out an important role for police officers—because police officers are inspectors under the legislation—it is also worth noting and informing members opposite that the inspectors who are appointed by the Chief Executive of the Department of Transport are trained officers; they conduct themselves professionally; and they are not cowboys, as members opposite tried to suggest. I place on the record the Government's appreciation of and confidence in the officers who undertake those very important responsibilities under the Act.

Perhaps one of the most scurrilous claims that has been made both in this place and outside was with respect to the conduct of those transport inspectors. I must admit that the comments of the honourable member for Broadwater this morning confirmed in my mind the dangers of sniffing too much leaded petrol. The honourable member has obviously been taking too much motor spirit up his nostrils. Obviously, it has had a detrimental impact upon his cognisant powers.

Mr Dollin: Probably leaded at that.

Mr HAMILL: As I said, it is obviously leaded petrol that has had a detrimental impact over a number of years. The member for Broadwater is also guilty of making scurrilous claims about transport inspectors being armed.

I table and seek leave to have incorporated in *Hansard* a memorandum from the director-general of my department regarding transport inspectors.

Leave granted.

Queensland Department of Transport
From the office of the Director-General
Memorandum

To: Honourable the Minister

Subject: Transport Inspectors

Background

In response to allegations that Transport Inspectors may be authorised to carry weapons, I wish to advise:

- Inspectors are not permitted to carry weapons under any circumstances and will not be permitted to do so in the future;
- no consideration is being given to allow Inspectors to carry weapons;
- Transport Inspectors are professionals trained to meet any circumstances which arise and there is absolutely no need for them to be armed.

Sgd

(D G Stevenson)

Director-General

Mr HAMILL: I contrast that very clear and unequivocal statement of policy and fact with the absolutely scurrilous claims made by the member for Aspley. Those claims were published in a document—which I understand the honourable member has been peddling in his constituency—in which he claims knowingly and falsely that—

“The department is now giving serious consideration to allowing inspectors working in rural areas to carry firearms.”

Nothing could be further from the truth. Indeed, if that claim were not so serious, I would say that both the honourable member and his document are contemptible. I was taken aback by the scurrilous claims by the member for Aspley. He has obviously been conned by certain members of the Police Union who have their own axe to grind. Indeed, he may himself be guilty of conning those gentlemen, if one considers the quote from the police journal read into *Hansard* by the member for Mount Coot-tha. The claims by the honourable member for Aspley on that and a number of other aspects simply do not stand the test of truth. He should be ashamed of himself for the way in which he has contributed to this debate, both publicly and in this place.

When asked by members of the media for a response to the claim by the member for Aspley that transport inspectors would be armed, I was forced to remark, “No, small arms are out, but nuclear warheads are still

in." That allegation was completely ludicrous. People say that if a person asks a stupid question, he or she is entitled to get a stupid answer. It is just a tragedy that this stupidity has been peddled by the member for Aspley, who ought to know better. After those sorts of comments, he will be known in this place by the name of "Scud"—firing off in all directions but never hitting the target.

Mr FitzGerald: You will never go down as a "Patriot".

Mr HAMILL: I take the interjection. As a good Queensland patriot, like my namesakes, I can do over Scuds at any time. I am sure that this debate will be remembered for exposing the Opposition, particularly the Opposition spokesperson on urban transport, the member for Aspley.

A number of very important aspects of this legislation have conveniently been held up to question by the Opposition, knowing full well that its claims have no basis in fact. The member for Broadwater and other members opposite claimed that what is being envisaged here is some sort of paramilitary force. I think the word "Gestapo" was used during the debate. Again, that simply does not stand the test of truth or analysis. The member for Broadwater referred to Starsky and Hutch-type pursuit operations. Transport inspectors do not do that now, nor will they do that. Police officers may pursue a wrong-doer, but transport inspectors may not.

I draw the attention of the House to the Travelsafe Committee report, which directed its attention to the question of motor vehicle inspections. It is a shame that the member for Aspley, who was a joint author of that report, did not remind himself of its contents before he tried to misrepresent what this Government is seeking to achieve. I draw the attention of the House to page 10 of the Travelsafe Committee report. The Travelsafe Committee was requested by me to examine the issue of periodic motor vehicle inspections or a system of random roadside vehicle inspections. The Travelsafe Committee concluded that—

"To introduce a system of periodic motor vehicle inspection would cost the owners of cars and car derivatives approximately \$40m (based on the current fee of \$25.00 for a roadworthy certificate)."

The report continued—

"The Committee is of the opinion that a more cost effective method of detecting vehicle defects and ensuring that owners maintained vehicles in a safe condition

would be to implement a system of random road side inspections similar to the Random Breath Testing program."

The committee went on to state—

"Regulation 68"—

for the information of the member for Mooloolah, I point out that most people would not carry regulation 68 around in their glove box—

"of the Traffic Regulations 1962 casts a clear obligation on the owner of a motor vehicle to ensure that the vehicle, when it is driven on the road, is in a 'good and thoroughly serviceable condition'. The obvious problem, however, is in the enforcement of that provision, which appears to depend more on chance than systematic detection of defective vehicles."

The committee directed its attention also to one of the comments being made by the member for Gregory, who argued that random roadside vehicle inspections should not take place because they delay people in getting to their destinations. I refer the honourable member to the Travelsafe Committee's report—

"Although some may argue that random testing could result in unnecessary delays whilst travelling to destinations, the same could be said for random breath tests, road works and road crashes. Although cognisant of potential delays occurring the Committee does not accept this as an argument against the introduction of random testing."

That was obviously the view of the member for Aspley. It is a shame that members of the coalition did not get their lines right when they sought to argue against these measures in the House. The report continued—

"Conversely it is seen as a preferred option"—

that is, random roadside vehicle inspections—

"to lengthy delays which could occur at a compulsory inspection centre."

The member for Broadwater said that we should have an annual or six-monthly check on all vehicles. Where does the Opposition stand on this matter? The answer is: all over the place. They have no real approach to dealing with this very important and vital aspect of road safety. They are into propaganda, a cheap headline, getting some column centimetres in newspapers, getting a

few seconds on the radio and making outlandish, outrageous and untruthful statements. For that they should be condemned.

The point has been made repeatedly in this debate both here and in the public arena that there have been and will be important safeguards built into the legislative and regulatory framework dealing with motor vehicle inspections. For the information of some members who have been here only three or six years, I shall give a short discourse on the role of legislation and subordinate legislation.

Mr FitzGerald: Any reason why you can't put it in legislation?

Mr HAMILL: As a former Justice Minister, the honourable member ought to know that subordinate legislation has force of law, as indeed does legislation. The other point that even the member for Lockyer should recognise is that all subordinate legislation comes back to this place and may be disallowed by the Parliament. Therefore, it will be quite clear that those guarantees that have been given on the operation of this legislation through the establishment of the appropriate subordinate legislation will be here in the Parliament for all to see. There is no hiding behind that.

Let me go through a number of these measures to, hopefully, settle once and for all how this inspection regime will operate.

Mr Johnson: "Regime" all right.

Mr HAMILL: A legislative and regulatory regime. It astounds me how dim Opposition members can really be when they do not understand terms such as "subordinate legislation", "regulatory regimes" and so on. Let it be very clear—as I said in my second-reading speech when I introduced this legislation—in the most part, anyhow, the transport inspectors and police will continue to work, as they currently do, in conjunction in relation to these matters. As is already the case, those inspections are occurring at night, but there will not be any random roadside vehicle inspections conducted at night by transport inspectors on their own—full stop! Any random roadside vehicle inspections which take place after dark will be in the company of a police officer.

The inspection sites, as is already the case, are highly visible and the officers operating at those inspection sites will be in uniform and will also carry other identification on them. There are circumstances here to cover the rare occasion on which a life

endangering situation may be seen on the road.

Mr FitzGerald: Where does it say "life endangering"? Is that in the wording here?

Mr HAMILL: We can discuss the clauses in detail later. But the circumstance is clear, and needs to be addressed, where an officer sees a situation which is life endangering. When officers are in the conduct of their duties, going about their business in the vehicles they use, they have vehicles which are clearly marked. If they are in a vehicle which is not clearly marked, they also have the light with them and the baton, which clearly indicate the authorised responsibility of the vehicle inspectors to undertake their responsibilities under the Act. There cannot be any mistaking of authorised persons. They will be wearing uniforms and have identification. If the deviants who are so well known to the member for Aspley—he has them running out and pinching stop signs and running out into the middle of the street—are such a real danger, let me assure drivers who see some of these people. As I have said publicly, my advice is for them to drive on.

Mr FitzGerald: Over the top of them?

Mr HAMILL: No. Unlike the member for Lockyer, I will not condone drivers running people down on the roads. I advise people to ignore the person who presents no identification and is not in uniform and who wants to flag them down on the road, in the same way as they may choose to ignore the person who is undertaking what they might see as their civil responsibilities to try to flag a motorist down if they think that the vehicle is endangering the driver or some other vehicle or people on the road. I am sure all honourable members know of at least one case—they may have been in the situation—in which they have seen something that may have been dangerous on the road and have sought to get the attention of the driver of another vehicle and induce them to stop.

Mr FitzGerald interjected.

Mr HAMILL: I am sure that the honourable member did induce them to stop. However, if we believe the member for Aspley, he would have us believe that it is only the deviants who would be out of uniform and would try to flag down vehicles to stop. There are many civically minded people who care enough for their fellow beings to the extent that, where they recognise a situation of potential danger, they would seek to intervene in some way to protect that other human being.

In circumstances in which a real danger exists, the civically minded person has no power other than to say, "Hey, mate, you are in danger here." The person could ignore them and continue. That is their business. In that extreme circumstance, the Bill enables the professionally trained inspector to actually say, "Look, your vehicle is unsafe. I can conduct the inspection. I will show you my identification to conduct the inspection. You are not going anywhere. You are a danger to yourself and to other road users." That is responsible and appropriate. This House should endorse the provision. In endorsing these measures, the House will make a substantial contribution to the work enhancing road safety in this State and will repudiate the outrageous, scurrilous, ill-informed and purposefully deceptive comments of the Opposition.

Sitting suspended from 1 to 2.30 p.m.

Question—That the Bill be now read a second time—put; and the House divided—

AYES, 46—Ardill, Barton, Beattie, Bennett, Bird, Bredhauer, Briskey, Budd, Burns, Casey, Clark, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Palaszczuk, Pearce, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Welford, Wells, Woodgate *Tellers*: Pitt, Livingstone

NOES, 33—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Perrett, Quinn, Randell, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Watson *Tellers*: Springborg, Laming

Resolved in the **affirmative**.

Committee

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

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mr JOHNSON (2.39 p.m.): I move the following amendment—

"At page 10, *omit* lines 11 to 22, and *insert*—

'11. An inspector or accredited officer may exercise a power in relation to a person only if the inspector or accredited officer is wearing a recognisable uniform approved by the chief executive and first produces

his or her identity card for inspection by the person.'

In his second-reading speech, the Minister referred to uniformed officers in relation to the Motor Vehicles Safety Amendment Bill. He stated—

"Inspectors will be easily recognisable by their uniform, vehicles and easily identified inspection sites."

Members of the Opposition have been saying that this is totally contradictory to what is contained within the Bill itself. That is why I have moved the amendment.

Clause 6 of the Bill states, in part—

"This section applies to—

- (a) an inspector (other than a police officer) who is not wearing a uniform approved by the chief executive; and
- (b) an accredited officer (other than a police officer) who is not wearing a uniform approved by the chief executive; and
- (c) a police officer who is not wearing a police uniform.

(2) An inspector or accredited officer may exercise a power in relation to a person only if the inspector or officer first produces his or her identity card for inspection by the person.

(3) If, for any reason, it is not practicable to comply with subsection (2) before exercising the power, the inspector or accredited officer must comply with the subsection at the first reasonable opportunity."

This is totally contradictory to what the Minister has said. I believe that he has misinformed the general public. There is a general fear among citizens, especially among women, that they will be in danger of violence or other treachery from people pretending to be transport officers. The Minister can blink if he wishes, but that is the way I read the clause. It is in the Minister's second-reading speech, and it is in the Bill.

Many people fear that they will have to stop rather than run the risk of paying a \$1,200 fine. The Minister has added to their fears by talking about occasions on which inspectors will be operating while not in uniform. That is totally contradictory. I shall ask the Minister to elaborate on that, and no doubt he will. The Minister talked about safeguards, but none are included in the legislation. The legislation makes it inevitable—

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! There is too much conversation in the Chamber.

Mr JOHNSON: The legislation makes it inevitable that people attempting to pass themselves off as inspectors will cause fear among citizens. That is a great concern not only to the Opposition but also to the general public. This Bill has been on the table since 20 May. There has been plenty of media hype about it and there has been plenty of speculation within the general public. I say to the Minister that he should take notice of the majority, and the majority is in the electorates. We heard a couple of Government members, Mr Peter Beattie, the member for Brisbane Central, and Mr Gary Fenlon, the member for Greenslopes, talk about this matter. They are on about it all the time, but it is in the legislation, it is in the Minister's second-reading speech and it is contradicted in the Bill. Some former police officers may be employed as transport inspectors, but the general run of inspectors are not police trained. They are not subject to the police oath and they are not disciplined in the force.

I will say it again and put it on the record—the Opposition is not against road safety. It is in total support of preserving and upholding the traditions of road safety. Nobody in this State would like to see the road toll come down more than Opposition members would. At the same time, nobody would like to see a better class of vehicles put on the roads more than Opposition members would. However, when we have Governments such as we have in Queensland and Canberra, how in the name of God are we going to live to have something better? In the last three and a half years, the Government has taken away everything that people stood for in this State.

The Government is placing the lives of transport inspectors at risk. These inspectors are also respected people within the community, and they are trying to do their job. The Opposition is concerned about their safety as much as it is concerned about the safety of the general public.

Mr FITZGERALD: As the Opposition spokesman indicated, Opposition members are not opposed to road safety. We support road safety. The question before the Committee is a fundamental one for legislators to consider always. With regard to clause 6 and the clause that allows uniformed officers to stop vehicles and to make inspections—the Minister has given us assurances that this will not happen at night-

time, and that it will happen only on rare occasions. He has given honourable members that assurance. But he said that it will be contained in the regulations.

Mr Hamill: That is transport inspectors.

Mr FITZGERALD: Yes. Police officers are a different question. According to the Minister, transport officers will not stop vehicles at night-time whilst they are out of uniform. He has given us that assurance. He said that it will be in the regulations. It is fundamental; it is not going to change. The Minister acknowledges that it is a very important point, because of the concerns among the general public. It will not change the fact that he is putting it into the regulations. He is saying that that is where it should be contained. I maintain that it should be in the legislation, not in the regulations.

Mr Beattie: You can always argue those points.

Mr FITZGERALD: Yes, one can always argue them. I do not want to start lecturing lawyers on law, but I will tell the member for Brisbane Central one fundamental thing: regulations can be changed easily. That is why they are regulations and are not contained in the legislation. If they are not to be changed, they should be in the legislation. The Parliament approves the legislation. It has the right to veto regulations at a later date, but they come into force from the date of gazettal. This Parliament might not be sitting for some time. The Minister would argue that the Government will not change that at all, and that it will be fundamental. The Opposition members say, "Put it in the legislation." We will fight to have it in the legislation. We will divide the Committee, because we believe that it should be in the legislation.

We believe that it is improper for the Minister to put it in the regulations unless he believes that he would want to change it from time to time. But the Minister does not want to change it. Regulations are there to set fees and penalties, so they can be altered. However, the Opposition believes that it is fundamental that transport officers should not be out of uniform at night-time pulling up cars. Therefore, it has moved an amendment to this clause, and that is what it is supporting. Government members can argue that they want to put it in the regulations for as long as they wish. The Minister indicates that we should trust him.

Mr Littleproud: He will give it in writing.

Mr FITZGERALD: He can put it in writing

if he wishes; I still do not trust him. I believe that the law has to be upheld and the Opposition wants it as L-A-W, law.

Mr LESTER: Every member of Parliament has a duty of care, and that duty of care is to try to give advice that is reasonable and provides safety for people. How on earth can a member of Parliament suggest to a young lady if she comes and asks whether she should stop for somebody who is standing on the side of the road, and who is not wearing a uniform, that she should stop? I am afraid that I would have to tell her that under no circumstances should she stop. If I advised her to stop, my advice could be placing her in danger.

It has been said by the Minister that these officers will have identification tags. I hear also that they can wait for a week until they have to produce it. Apart from that scenario, the very simple fact is that if the car stops for a person who is an undesirable, that identification tag could be a gun, a knife, or anything else. It is an absolute invitation to some wayward, kinky type of person to use this opportunity to pretend that he is a transport officer, and to try to stop people. Unfortunately, in these times, it is an invitation for more atrocities to be committed. How many young ladies whose cars have broken down and who have not been able to contact anybody have been murdered? We all know the cases and, unfortunately, there are many.

I have to take issue with a comment that the Minister made on a radio program. I might add that the 10 calls that came in as a result of that radio program were in support of me and not him. He said that Mr John Goss and I were members of the Travelsafe Committee that recommended roadside inspections. I want to make it very, very clear that the roadside inspections did not under any circumstances include people out of uniform who were stopping traffic. We were talking about the proper "truckalyser", which is similar to a booze bus and is readily identifiable. However, it is my personal view that nobody should be stopped unless a policeman or a policewoman is in attendance. Under no circumstances should the Minister be trying to deceive the public by suggesting that Mr John Goss and I had called for this provision. It is very clear that we have not under any circumstances done so.

Mr Hamill interjected.

Mr LESTER: The Minister can table all the letters he likes. I have some letters relating to some other matters that did not run true to form, too, but I am hopeful that that will be

reversed. I will leave my remarks at that, but my advice to everybody is that under no circumstances should he or she stop and, if it is the law, break it—it is as simple as that—and go to the nearest police station if there is strong concern. This is an archaic and stupid law. We should get rid of it forthwith.

Mr DOLLIN: I would like to speak to clause 7.

The TEMPORARY CHAIRMAN: Order! This is clause 6. The honourable member should speak to clause 6.

Mr DOLLIN: I will speak to clause 6. I wish to cite an editorial which appeared in the *Maryborough Chronicle* and which was written by a very intelligent person. I believe it sums up the attitude of the Opposition in just a few words.

Mr Grice: Another Labor lackey!

Mr DOLLIN: The member should just listen and hear what it says. The article stated—

"The mild hysteria over new transport laws allowing plain clothes officers to flag down drivers seems to be another example of the orchestrated, hypocritical nonsense that passes these days for politics.

Australians are too often subjected to gross exaggerations of what one party or the other has in store for them. Rational and sensible discussion of the controls on our lives has given way to alarmist and inflammatory statements that are at best misguided, at worst deliberate distortions.

We have seen Australians panicked by mischievous manipulations by the leaders we are supposed to trust. It happened with the proposal for four-year terms for Queensland's Government, when the Nationals first said they would support it and then backtracked on a flimsy pretext. They then played a cheap game, playing to the electorate's well documented fear of the unknown.

...

That seems to be the case now with the alarm bells sent off by Liberal MP John Goss over amendments to the transport laws. The amendments mean that ununiformed traffic officers will have the power to flag down drivers in daylight hours for random vehicle inspections. Until now the traffic officers have had to have a police officer beside them as reinforcement.

The police officer must be present if checks are carried out at night but the new legislation will free up police numbers for other patrol work in daylight hours.

Mr Goss is a member of the bipartisan Travelsafe committee and voted with it in favour of additional random vehicle checks. He has suddenly run screaming to the media that the laws will allow plain clothes officers to flag down cars, paving the way for criminals and weirdos to imitate officers, stopping women drivers and molesting them.

Now either Mr Goss did not read the legislation properly or he deliberately distorted the picture to grab a couple of headlines. By doing so he has caused needless worry and could have given some drivers the erroneous idea they must stop if flagged down even by someone in plain clothes. They should not.

Member for Maryborough Bob Dollin says people being flagged down by a person out of uniform have every right to drive on. They will not be fined.

Mr Goss has earned himself no credibility for muddying the waters on this issue with its inherent dangers."

And neither has anybody else on the Opposition side of the Parliament. They should be ashamed of themselves.

Miss SIMPSON: It is an irony that a Bill which is supposed to make the roads safer actually makes the roads more dangerous for women. The coalition's amendment seeks to address that. I have had many calls from angry women and men about this Bill. These citizens are not opposed to road safety; they are opposed to non-uniformed transport officers having the power to pull over cars at random. The Transport Department says that motorists will be pulled over at random only during daytime, but the department and the Government are so out of touch with modern society that they have not realised that it is not safe during the daytime for women to stop for unknown people, even on busy suburban roads.

The increasing number of abductions and terror campaigns against women are a constant reminder of this. Let us not forget that men have also been the victims of attempted roadway abductions, as was the tragedy which befell Dr Victor Chang. People's fears are justified about the wide-ranging powers of this Bill. One does not put a bull in a bull pen and then leave the gate open after

counselling the bull that the regulations say that it must not step over the line. The Bill—not possible regulations which may later follow—is what we are debating today in this Parliament. This is unleashing unacceptable power for the use of non-police.

I am not objecting to fully uniformed transport officers pulling motorists over during daytime into clearly identified mobile inspection points as long as delays are not lengthy. But as for transport officers who, under the letter of this proposed law, do not have to be uniformed, that is an outrageous proposition. Give the police more resources, but do not give police powers of this kind to non-police! Motoring safety is increasingly about security for drivers, not just the nuts and bolts of their cars. I do not think the Minister and his department have a clue about how dangerous it is for women motorists. Roadway predators will be rubbing their hands in glee over a new weapon in their arsenal of terror because who is to know who are the real transport officers and who are not?

Another point of concern which the Government appears not to have considered is the very safety of transport officers who may mistakenly believe that all motorists will recognise the transport officers' new-found powers and, therefore, will readily stop before grinding them into the bitumen. Read my tyre marks! I am not going to stop for a non-uniformed transport officer.

Government members interjected.

The TEMPORARY CHAIRMAN: Order! The Committee will come to order!

Mr ARDILL: There is no doubt that this issue has been a terrific beat-up. Knowing that these provisions are necessary, the Opposition has decided to play politics, and it has done so very well. While Parliament has been in recess, members opposite have had an open field and they could go for their lives. Obviously, however, they have not convinced the editor of the Maryborough newspaper, nor have they convinced many other people.

The Minister has stated very clearly that this provision, which reflects powers already exercised by police, will apply only in a situation in which an inspector sees obvious danger in the state of a vehicle and decides to advise the driver accordingly. This Bill gives some confidence to that officer that he will not be charged with any offence for stopping the vehicle. I want to make it very clear, however, that if an officer stops a vehicle except in that circumstance——

Mr FitzGerald: You are like a circus pony on performance night.

Mr ARDILL: How about the member for Lockyer getting his brain into gear and his mouth closed off! It should be made very clear to the public that if an officer takes advantage of this particular provision in circumstances other than the existence of an obvious danger, that officer should be dealt with very severely. The department must deal with any officer who uses this provision except in the intended circumstances.

I also draw to the attention of the Opposition and the public, in general, that clause 7—the next clause to be dealt with—will provide the answer to these problems. Very clearly, proposed section 18D sets out that the only way an officer can stop a vehicle is in terms of the regulations which will apply to this Bill and, of course, will be tabled in the Parliament.

We have the Minister's assurance that under no circumstances will a transport officer operate in that way at night-time. An officer will not use that provision to stop people on the road at night. In line with what the Minister has clearly said and what a number of other members have clearly said, I give the same advice. If people on a lonely road at night think that somebody is pulling them up other than for a legitimate reason such as a dangerous situation, they should not stop. They should keep going. The Bill contains provisions which will absolve them from any wrongdoing for doing just that.

Very clearly, the Minister has also said that the regulations will provide that the only time when an officer will be empowered to pull people up on the road, except in the emergency situation that I have just described, will be during daylight hours. During night-time, the only provision for stopping motorists on the road will be with all of the equipment, such as the arc lights and the wands, that is necessary to check a vehicle. The Travelsafe Committee did not recommend that these activities be put into place until such time as the necessary equipment became available. That equipment is now available. The department has spent considerable funds on obtaining the necessary equipment to check vehicles efficiently and quickly. This will be done. At night-time, it is very necessary to be able to do this. It will be with all of the necessary equipment, such as warning signs, arc lights and wands.

I totally support what is being proposed here. It is very necessary that this be done

because, despite the fact that most accidents are caused by driver error or negligence, a small proportion of accidents are caused by faulty vehicles. That does not mean vehicles with some rust. It means vehicles that have faulty brakes, faulty tyres and faulty steering—all of the things that the honourable member for Greenslopes and I saw when we went out to a roadside check at night. We also saw unlicensed drivers, unregistered vehicles and people with offensive weapons in their cars. All sorts of offences were detected.

On previous occasions when the police set up radar traps in the suburb of Kuraby to discourage rat-running, the same situation was detected. A great number of unregistered and therefore uninsured vehicles travel on our roads, none of which would be picked up through the annual road check that has been recommended by a lot of people. What we on the Travelsafe Committee also found was that the States with an annual inspection system had a 50 per cent worse road accident record involving vehicles than did States such as Queensland which did not have an annual inspection.

We also found that 50 per cent of vehicles being checked at the annual inspection were faulty and that drivers were continually leaving those vehicles in an unchecked situation until the annual check-up and using that as their only means of detecting faults. It was also made clear in evidence that, in many cases, drivers are unaware of faults and that many faults develop within a few days of the annual check-up. Roadside checks pick up all of those faults that I have mentioned. This provision will certainly do just that. We must make sure that the potential danger of 20 people a year being killed on our roads because of faulty vehicles is removed.

One member mentioned the fact that no vehicle should have to be checked more than once. As I have said, that would not be a satisfactory situation. Quite clearly, faults do occur. With my old vehicle, I am bound to be a sitter for roadside checks. If an inspector is looking for an old vehicle, he will certainly notice mine. I have no objection to that. I spend considerable sums keeping it in order, and I am quite happy to face an inspection on the road, particularly if it is done with the proper equipment in which the Transport Department has now invested—and all power to the department in those checks to make our roads safer.

Mr ELLIOTT: All of us in this Chamber are concerned about road safety. I do not

think that anyone in this Chamber is silly enough to suggest that he or she is not in favour of overcoming problems caused by things such as faulty brakes, lights and steering, which we have all seen over the years. Obviously, everyone is trying to improve that situation. Otherwise, we would not have a Travelsafe Committee on which all sides of the Parliament are represented. That Committee has obviously worked harmoniously and well. It goes without saying that all members are trying to work towards that end.

As someone who represents an area in which there are long stretches of road, a number of issues concern me. It does not matter whether we are talking about daylight hours or night-time, I would not be happy if my wife was pulled up on some of those lonely stretches of road, for argument's sake, between Millmerran and Goondiwindi, which, as members well know, is a very long stretch of road with not many buildings along it. Most of the homes along that stretch of road are situated well off the highway. Virtually anything could happen to someone who travels along there and no-one would see it happen.

It is absolutely essential that the Government spell out in detail in this legislation a requirement to have by the side of the road equipment which, whether it is a radar trap or a booze bus, is clearly identified. I suggest that one could very easily set up a truck operation or a reasonable-sized trailer behind a four-wheel drive vehicle. A person could have a testing bed onto which he could quickly run the vehicle, test the brakes, very quickly check its steering, look at its tyres, and check whether its lights are working.

Regrettably, in the past when the National Party was in Government and when the Labor Party has been in Government, someone has always gone over the top with inspections. One hopes that we will not see people pointing fingers at, for example, the quality of the upholstery. I have seen that happen. People have been knocked back at an inspection because of the state of the upholstery.

Mr HAMILL: I rise to a point of order. The honourable member is discussing a wide range of issues in relation to the Bill. However, he is not discussing the matters concerning the clause that is currently before the consideration of the Committee.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! There is no point of order, but I draw the honourable member's attention to the specific clause.

Mr ELLIOTT: I accept that. We are looking at the powers of the officers. In this case, the danger of a person who poses as an officer by using equipment, stolen or otherwise, pulling up motorists and robbing them or, worse still for women on lonely roads, molesting them or whatever else, has been pointed out. The murder of motorists in such circumstances is becoming prevalent in this country. In common with my colleague the member for Keppel, I believe that all of us in this House have a responsibility. We are all going to be asked advice from the motoring public in our electorates as to what should they do. The answer is very simple. As was pointed out by one of the Labor members, people should not pull up unless they can identify clearly who is detaining them.

Mrs Woodgate: We all agree.

Mr ELLIOTT: If Government members say that they all agree with that statement, why on earth is it not in the Bill? We wish to see a clear and unequivocal statement as far as the law is concerned. Then we would vote with the Government on the issue rather than being at odds over it.

As I said, I feel that this issue is very important for those of us who live in country areas, and also in some areas of the city where such incidents are becoming prevalent, because it is of great concern to our constituents. I cannot believe that we are arguing about it when it appears that most members agree. Why on earth is it not in the Bill? I would like it put on the record that I do not accept the way the legislation is worded at the moment. I believe that this issue is definitely an area of real concern, and has not been covered sufficiently.

As the member for Maroochydore rightly pointed out, this is supposed to be a Bill to protect the public. It is supposed to be a safety Bill. If it is allowed to pass in its present form, then in fact it is going to have a detrimental effect on the safety of the motoring public, and in particular the female section of that public. I certainly find that unbelievable in this day and age.

Mr BEATTIE: I have a couple of matters I wish to raise briefly. Bearing in mind that the issue has been raised in the Chamber, I think it is important that I make this point. The member for Mooloolah claimed in his contribution that this Bill does not make it an offence for anyone to impersonate an officer. That frankly is not the case. If members turn to the main Act that this Bill obviously amends, they will find in section 43 F the following—

"A person shall not falsely represent himself to be an inspector or authorised officer."

So impersonating an officer is clearly an offence under the law.

Mr Hamill: It has been an offence since 1980.

Mr BEATTIE: Yes. I take the Minister's interjection. I simply want to make sure that the record of this Parliament is very clear that it is an offence for anyone to impersonate an officer. I want to make a couple of other very quick points in relation to this matter.

Mr FitzGerald: It is even an offence to wear a uniform and pretend you are an officer.

Mr BEATTIE: It should be an offence to pretend that one is a politician, too, but in the honourable member's case, it would not help. In terms of proposed new section 18E, the defences are very clear. I hope that when this matter is debated outside this Chamber honourable members, whatever their view, would take into account the provisions of proposed new section 18E (2). I know that some members have tried to discount them, but they are very clear. It states—

"It is a reasonable excuse if—

(a) to obey the requirement immediately would have endangered the person or another person."

If that is done on a reasonable ground, the common law of this country, which is based on the British common law, one does not have to stop. All the macho stuff from the honourable member for Keppel and the honourable member for Cunningham, and I dare say macho stuff from the honourable member for Maroochydore, is really superfluous. The Bill provides people with a reasonable excuse. I know that some Opposition members in the latter part of their political career may get a real thrill from urging people to break the law, but the reality is that proposed new section 18E (2) defines a reasonable excuse. I conclude by saying that this legislation has come into effect because faulty vehicles cost 20 Queensland lives every year. No matter what arguments are put up, one must be tough. I agree with the honourable member for Archerfield in terms of what his committee has recommended in this area. He has produced an excellent report. At the end of the day, faulty vehicles take lives, and we must be tough about it and provide for inspectors who can ensure that vehicles are roadworthy.

Mr FITZGERALD: Mr Temporary Chairman, will you permit me to debate that

proposed new subsection in clause 7 to which the honourable member referred? We are debating clause 6, but his argument related to proposed new section 18E, which is in clause 7. If you will permit me, I will answer it now rather than speak later. The member for Brisbane Central indicated that if one had reasonable grounds not to obey the requirement immediately because it would have endangered another person, that it is all right; one can get away with it.

Mr Hamill: That is right.

Mr FITZGERALD: The problem is that the offence provides a penalty of 20 penalty units. The regulations are not yet in force. If someone without a uniform tries to stop a little lady driving along the road in the middle of the night who has to make up her mind whether she has reasonable grounds not to stop, the fine if she is wrong is 20 penalty units, or \$1,200 in today's values. The legislation should state that after dark there is no need to stop for a person without a uniform.

Mr Beattie: This Bill says she does not have to stop and you know it.

Mr FITZGERALD: Yes, but if the court determines that she did not have reasonable grounds, the maximum fine is \$1,200. One has to make a split-second decision. One either has to carry on because one thinks there are reasonable grounds, or one thinks, "Will the courts say I did not have reasonable grounds; well, that is \$1,200, so I better stop." The legislation should reflect that quite clearly. The little lady out on the lonely track should not be put under the pressure of having to make up her mind like that.

Mr HAMILL: A number of comments which are appropriate to be made in relation to this particular clause were made in my second-reading speech and also in my summing-up. It is worth while noting, however, that the amendment which the Opposition has moved seeks to ensure that any person exercising power under the Act will be wearing a uniform. I acknowledge the agreement of the Opposition spokesperson in that regard. I just draw to the attention of the Opposition another part of clause 6. It also provides that a police officer without any further appointment is an inspector under the provisions of the Motor Vehicles Safety Act. The member for Mooloolah went to great pains to ask whether there had been proper consultation with the Police Service about this legislation. As I assured the honourable member by way of interjection at the time, yes, indeed, there has been extensive consultation with the Police Service in relation

to this legislation. Of course, the member for Mooloolah may realise that perhaps the Opposition spokesperson does not recognise that police officers, in the normal course of their duties, may from time to time operate in plain clothes.

Mr Johnson: We are not talking about police.

Mr HAMILL: But in terms of the amendment which the Opposition has moved we are talking about both inspectors and police because the proposed amendment includes the words "an inspector or accredited officer", etc. "Inspector" under what would be the new section 8 of the Act would also ipso facto include a police officer. That is why this clause is couched as broadly as it is. As for the further circumscribing of the generalised powers which I have already mentioned will be contained in the regulations, those regulations will, of course, be brought before this Assembly, which will, of course, have the power, as it has in relation to any subordinate legislation, to disallow any any part of the regulations which it finds unpalatable.

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

AYES, 47—Ardill, Barton, Beattie, Bennett, Bird, Briskey, Budd, Burns, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone

NOES, 34—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Randell, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the affirmative.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! I advise honourable members that further divisions on this Bill will be of two minutes' duration.

Mr JOHNSON: I move the following further amendment—

"At page 12, *omit* lines 16 and 17."

Yesterday, I referred to the time that may be lost by vehicles carrying stock or produce to market that are apprehended at a roadside check—be it a random check or at a specified site. The people who will be disadvantaged if a lot of time is lost are the producers of the livestock or goods being carried. The driver of

such a vehicle who is near the end of a long journey may be a little agitated and will want to reach his destination as soon as he can. If a driver is delayed by an inspection, he may have a snarl at the inspector, which will not help matters.

The Opposition asks: what compensation will those people receive? Let me make it clear that I am referring to the people who are paying to have their goods carried and not to the owner of a commercial operation.

Mr HAMILL: During my reply to the second-reading debate, I referred to the honourable member's concerns about this matter. Again, I draw the attention of the honourable member to page 10 of the Travelsafe Committee's report. I will remind honourable members about who were the members of the Travelsafe Committee which brought down the unanimous report endorsing random roadside vehicle inspections. The members of the committee were: the then member for Salisbury, Mr Ardill, who is now the member for Archerfield; the Honourable Vince Lester, who is in the Chamber at present, and who is the member for Keppel and was formerly the member for Peak Downs; Mrs Lorraine Bird, the member for Whitsunday; Mr Bob Dollin, the member for Maryborough; the member for Greenslopes, Mr Gary Fenlon—

Mr Lester interjected.

The TEMPORARY CHAIRMAN: Order!

Mr HAMILL:—Mr John Goss, the member for Aspley—

Mr Lester interjected.

The TEMPORARY CHAIRMAN: Order! The member for Keppel will cease interjecting.

Mr HAMILL:—Mr Lawrence Springborg, the then member for Carnarvon, who is now the member for Warwick.

Mr Lester interjected.

The TEMPORARY CHAIRMAN: Order! I warn the member for Keppel under Standing Order 123A. I asked him to cease interjecting on two occasions. Does the member for Lockyer have a point of order?

Mr FITZGERALD: Mr Temporary Chairman, this is a disgraceful attempt by the Minister to name—

The TEMPORARY CHAIRMAN: Order! What is the point of order?

Mr FITZGERALD: I had a point of order. I thought that the Minister—

The TEMPORARY CHAIRMAN: Order! I asked the Minister to sit down while I was

dealing with the other matter. I call the Minister.

Mr HAMILL: I was just reminding the Committee about the authors of the Travelsafe Committee report. I want to compliment each and every one of them. I think that it is an excellent report. I can understand why the member for Keppel may now be wishing to distance himself from those very important and significant recommendations. However, I suppose that the honourable member is allowed to have a lapse and move from a very sane report to some other remarks which he made in this Chamber this afternoon.

I draw the attention of honourable members to page 10 of the Travelsafe Committee report. I know that the member for Aspley will endorse these remarks, because he endorsed them at the time. The report stated—

“Although some may argue that random testing could result in unnecessary delays whilst travelling to destinations, the same could be said for random breath tests, road works and road crashes.”

If Opposition members are to be believed, I presume that their next bid would be to endorse actions for compensation against the unfortunate victim of a road accident if any other person was held up as a result of the blockage caused by that accident. The member for Lockyer is nodding his assent to my suggestion. I would be very surprised if even this Opposition had the audacity to come forward with such a measure.

The Travelsafe Committee, which is an all-party committee, unanimously considered that random roadside vehicle inspections were so important and in the public interest that they should be supported and that any sort of delay which may accrue to any vehicle as a result of being a part of such a random roadside vehicle inspection was more than outweighed by the benefit to the public good in having such an inspection undertaken. It is ludicrous for the Opposition now to suggest that a person who may be delayed in his or her journey because of a random roadside vehicle inspection ought to then be able to have some sort of claim for compensation.

Let me assure honourable members opposite that, through consultation with the road transport industry—the heavy vehicle section of those who travel on our roads—it is well understood and well supported that the comprehensive mechanical test which would be undertaken on such a heavy vehicle would

not extend over more than 20 minutes, given the whole range of facets of that inspection which may be undertaken. If it did extend for more than 20 minutes, it would only be in a case in which a vehicle was demonstrating severe defects such as required remediation. That is accepted by the road transport industry and supported by it.

Contrary to some of the assumptions made by the honourable member for Gregory, the fact is that the vast majority of operators in the road transport industry actually support vehicle safety. They consider that vehicle safety reflects favourably on them as operators. With respect to those others who are not operating heavy vehicles, let me assure honourable members opposite that the time taken for a random roadside vehicle inspection would be far less than the time it would take to deal with a heavy vehicle, as indeed the Travelsafe Committee has suggested that such time expended is well worth it in terms of enhancing road safety and vehicle safety on the roads of Queensland.

Mr FITZGERALD: This is a disgraceful attempt by the Minister to say that the Travelsafe Committee supports the whole of this legislation, therefore its members should be bound by everything that they put in the report. They supported the report as individuals, but they did not cover the issue of compensation.

The Minister has stated that he has been advised that heavy vehicles would rarely be stopped for more than 20 minutes for an inspection and comprehensive test unless major defects were found, in which case the testing time could take longer. At the same time, he is opposing this amendment which gives the owner of a vehicle unduly delayed a right to sue for compensation. If the Minister is correct when he tells the Chamber that there will be no undue delay and that drivers will not be stopped for more than 20 minutes, those people would have no chance of receiving compensation from the court. So why does he not allow the amendment? If a driver of a heavy vehicle were delayed for 20 minutes for a thorough inspection and then decided to sue the Transport Department for undue delay, what chance would he have? None!

Why does not the Minister allow the amendment so that the legislation will protect the operators, just in case a vindictive person in a brown shirt wants to take it out on a driver? The Crown should be responsible for the actions of its employees. It is a matter of the power of the Crown and of the individual. Individuals in this State should have some

rights. If the Crown will not guarantee the behaviour of its employees and will not pay compensation to an individual who has been inconvenienced—proved in a court of law and given compensation by the law—this Government is running for legislation to protect itself. We do not support that.

Mr JOHNSON: The Minister is being a bit hot-headed and a bit hard-headed. He is not listening to what we are about.

Mr J. N. Goss interjected.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order! If the honourable member for Aspley wishes to interject, he should do so from his usual seat.

Mr JOHNSON: We have been fairly diplomatic in our approach. We are attempting to get a fair deal and fair compensation if something goes wrong at an inspection point where people have a perishable commodity, whether it be fruit, vegetables, frozen goods or livestock. We are being realistic. The Minister should take our argument on board.

Mr HAMILL: The Opposition's definition of diplomacy is akin to Nixon's bombing of Hanoi in 1973. If we look at the provision in the Bill, we will find that there are bases of claim for compensation. Proposed new section 15B (3) states—

“A court may order the payment of compensation for the loss or expense only if it is just to make the order in the circumstances of the particular case.”

What it does not allow, and what the Opposition would seek to allow, is that it is of itself a claim for compensation if a vehicle is sought to be inspected.

If the amendment the Opposition has moved were to be accepted by the Committee, the Opposition would seek to make the very action of inspecting the vehicle a basis of a claim for compensation. That position was not a position which was given any credibility in the Travelsafe Committee report; it was not given any credibility as a just claim for compensation by the Government in the drafting of this legislation; and, if the Opposition sought to reflect a little more, it would recognise also that the logical consequence of such an amendment as moved in relation to vehicle inspections would have equal force in relation to other reasons why a vehicle may from time to time on the road be caused to stop, presumably by a police officer in relation to a random breath test or for some other reason.

If the honourable member is suggesting that a person should be able to bring about a

claim for compensation if that person has been stopped for a random breath test, I suggest to him—

Mr FitzGerald: After a certain period of time you should have the right to compensation.

Mr HAMILL: The member for Lockyer is suggesting that that is a reasonable and just claim. If that is the case, why did he not, when he was in Government, give such a course of action for people who would be stopped for either a RID inspection, as it then was, or a random breath test? The fact is that he did not consider that to be a legitimate cause for compensation at the time. He is being vexatious and picky and he is trying to confuse the very important issues here. The Government is promoting road safety and the Opposition is not.

Mr JOHNSON: I believe that the Minister is being very unrealistic. He is taking on board everything that the Travelsafe Committee has found. Fair enough. I pay tribute to the findings of the Travelsafe Committee, and I acknowledge that it is an all-party committee. But the point that I make to the Minister is that the Travelsafe Committee would want two years to go through every facet of transport and understand it fully. This is what I am trying to drive home to you, but I cannot get it into your thick head.

The TEMPORARY CHAIRMAN: Order! The member will withdraw that remark. I believe that it is unparliamentary.

Mr JOHNSON: I withdraw. I am trying to get through to the Minister what the Opposition is talking about.

Mr Veivers interjected.

The TEMPORARY CHAIRMAN: Order! The member for Southport will cease interjecting. I warn him under Standing Order 123A.

Mr JOHNSON: The Opposition is fighting for the people who cannot be here today to fight for what they believe is right. If they are going to be delayed at one of those checkpoints, then the Opposition is seeking compensation for an over-delay there. I believe that we are being realistic. The Minister claims that it will take only 20 minutes to check out a type 1 road train. I will give him the mail: it would take a person 20 minutes to walk around the damned thing! If the inspectors get under every bogey and every shackle on such a vehicle, it will take them two hours to check it properly. That would create an impossible situation. The Minister should divulge what is in the guts of the Bill.

Amendment negatived.

Clause 6, as read, agreed to.

Clause 7—

Mr JOHNSON (3.43 p.m.): I move the following amendment—

“At page 13, after line 19, *insert*—

‘(c) the checkpoint is well lit and clearly identified by the presence of uniformed officers and clearly marked official vehicles.’”

The Opposition is asking that the checkpoints be well lit and well identified by the presence of uniformed officers and that official vehicles be clearly marked, otherwise this part of this legislation will be detrimental in its effect of getting the general public to pull up. This matter was discussed fairly well during the debate on clause 6. This is virtually a more elaborate part of the Bill. I firmly believe that the roadside checkpoints should be lit so that people can see them. When police are undertaking random breath tests, or whatever, one can see those police 100 yards or 200 yards away. On the highways, their lights can be seen half a mile away at night. We are asking that that be the situation with the random roadside checkpoints.

Mr HAMILL: I am intrigued by the honourable member's comments in relation to this amendment. The Government certainly has no difficulty with clearly identified roadside random vehicle inspection points. Indeed, I believe that this point has been made repeatedly in my comments, and in the Bill. I have made the point that, whether it be daytime or night-time, officers of the Transport Department at those inspection points will be in uniform. I fail to understand the point of the Opposition's amendment. Why would one seek to artificially illuminate checkpoints established in daytime by the police or the Transport Department?

Mr FitzGerald interjected.

Mr HAMILL: If the honourable member is saying that daylight is adequate, then I accept that. But the point is also well made that a checkpoint shall be clearly identifiable when it is established at night. I believe that the Opposition's amendment smacks of naivety, and on that basis should be rejected.

Mr JOHNSON: I believe that the Minister is not taking on board what I have been saying. I am asking that the checkpoints are well lit and clearly identified by the presence of uniformed officers and clearly marked official vehicles. We are not talking only about daytime; the Minister is talking about random

checks at night-time. That is why I have included those words in this amendment. I cannot see anything irresponsible about that, and no doubt the general public would agree with what I am saying.

Amendment negatived.

Mr JOHNSON: I move the following further amendment—

“At page 13, *omit* lines 21 and 22, and *insert*—

‘18C. (1) An inspector who is wearing a uniform approved by the chief executive and is travelling in a clearly marked official vehicle may require the driver of a motor vehicle to stop the vehicle other than at a checkpoint.’”

An inspector may require the driver of a motor vehicle to stop the vehicle other than at a checkpoint. I believe that this is a gross invasion of privacy. This amendment is fairly straight forward and commonsense. The Minister would have to agree that this provision would protect the general public. I believe that members on the Government side of the Chamber would agree that this is a commonsense measure, and that commonsense should prevail.

Mr HAMILL: This particular issue has been widely canvassed already. If the general public needs protecting, it needs protecting from the likes of Opposition members, who run around the place causing alarm and concern when they know full well that the provisions outlined here do not have the consequences that the Opposition claims. These provisions have been well canvassed. I have outlined repeatedly that the operations of police officers and transport inspectors will be well defined in terms of the legislation, and will be further refined in relation to the regulations. The public can have confidence that the road safety objectives as outlined in the Travelsafe Committee report will be achieved by this legislation.

Mr FITZGERALD: I wish to ask the Minister a question, if he will answer it: will the regulations contain provisions that officers must be on duty? Or will officers who are off duty or on holidays have the right to pull up what they believe to be defective vehicles for an inspection, and undertake those inspections anywhere at any time? Would the Minister agree that this virtually means that citizens will be inspecting vehicles, if they are not clearly identified officers in uniform? What protection has the public from a large inspectorial service that is out of uniform?

Mr HAMILL: The large inspectorial service to which the honourable member refers comprises about 140 officers for the whole of Queensland, compared with 6 000 officers in the Police Service, all of whom can operate in plain clothes. As I have outlined already to the honourable member, the provision will be circumscribed further by the regulations—and I have made that point repeatedly. It will provide that where an officer sees a circumstance that justifies that intervention, even if the officer is out of uniform in that rare circumstance, the officer must also have upon him or her the appropriate identification. If that officer is exercising authority in an official vehicle, no doubt that vehicle will be clearly emblazoned as a Department of Transport vehicle or, indeed, if the vehicle is not clearly emblazoned as a Department of Transport vehicle, it will have the other equipment which is required to be shown by an officer. I have outlined those measures already.

Mr Veivers: What about hiding behind the bushes?

Mr HAMILL: The honourable member for Southport never hides his light behind a bushel.

Mr Veivers: I said “bushes”. You are hard of hearing. You’ve got hair hanging out of your ears. I asked, “What about when they are hiding behind bushes so that people won’t see them?”

Mr HAMILL: The honourable member comes in belatedly and tries to make it appear that he is making a serious contribution to what is a very important debate.

Mr Veivers: I am being serious.

Mr HAMILL: I am pleased that the honourable member is being serious. I welcome that. I think that it is a worthwhile, new development on the part of the member for Southport. As I have outlined to the member for Lockyer and to other members, the fact is that the operations that this provision allows would occur in only the most extreme circumstances. However, as I have also outlined already to the Committee, those circumstances may occur, and we ought to give the power to a responsible officer to act in a responsible way in relation to them.

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

AYES, 48—Ardill, Barton, Beattie, Bennett, Bird, Briskey, Budd, Burns, Casey, Clark, Comben, D’Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Palaszczuk, Pearce, Power, Purcell, Pyke,

Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone

NOES, 33—Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Randell, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

Mr JOHNSON: I move the following further amendment—

“At page 13, line 24, after ‘not’
insert—

‘substantially’,

and at page 13, line 25, delete—

‘in every respect.’”

In speaking to this amendment, I refer to proposed new section 18C (2), which states—

“The inspector may require the driver to stop the vehicle only if the inspector suspects on reasonable grounds that the vehicle does not comply in every respect with applicable motor vehicle safety and performance requirements.”

I believe that if a vehicle has been pulled up at a random check, or any check for that matter, it is not going to comply, anyway. It is going to be very difficult to get 90 per cent of the vehicles that are pulled up fairly close to the mark as regards roadworthiness. For the benefit of honourable members, I will read out the subsection with the proposed amendment—

“The inspector may require the driver to stop the vehicle only if the inspector suspects on reasonable grounds that the vehicle does not substantially comply with applicable motor vehicle safety and performance requirements.”

I believe that that is a fair amendment. As I say, there would not be one vehicle on the road that would apply in every respect with the requirements. The clause originally presented provides a blanket authorisation to stop every vehicle on the road. I think that what I am saying is very fair, and I ask the Minister to show some commonsense and allow that amendment to be part of this Bill. I think that it is very worthwhile.

Mr ARDILL: I think that this is an appropriate time to nail to the wall some of the press comments about what is and what is not a vehicle that complies with the regulations. Every time the problem of unroadworthy vehicles comes up, the media races around

taking photos of vehicles that have a bit of rust in the door, in the tail gate or something like that. Of course, this is not what the roadworthiness of vehicles is about; it is about defects in the vehicle which affect the operation of the vehicle. It means that an inspection will be made to ascertain whether the vehicle has faulty brakes, steering, tyres or faulty equipment such as rear vision mirrors, windscreens and the like. I believe that the public should be reassured that inspectors are not going round looking for a vehicle that has a bit of rust showing through the door, because almost every Australian vehicle has rust in the door unless it is made of plastic. Every Australian vehicle has rust in it from the moment that the purchaser buys it.

Quite clearly, Australian vehicles need to be brought up to world standards, not only in the matter of protecting the metal that is used in their construction but also in terms of safety issues. Until recently, Australian vehicles were three times more unsafe than vehicles manufactured by the parent body of the manufacturer in the United States and Japan, and Australia's accident record relating to defects and the testing of vehicles clearly indicates this. It has only been in recent years that the figures from America and Japan, on the one hand, and those from Australia, on the other hand, have begun to come closer together, and this has been brought about because of checks that have been carried out.

A particularly significant factor that has been involved in these improvements is the testing laboratory in Sydney which members of the Travelsafe Committee inspected. The committee recommended that all States contribute to its upkeep, and I believe that that is now being done. The testing laboratory clearly established that most Australian vehicles, when involved in a collision even at low speed, crumpled totally and were in fact totally unsafe. I believe that, as a result of the work carried out by the New South Wales Government's testing laboratory, some of those standards are now being brought up to date.

I reiterate that the problem is not one of a small amount of rust or a scratch on the paintwork; it is one of serious defects. They are the types of defects that the Travelsafe Committee was looking at—not minor problems, but problems caused by defects which were responsible for 1 per cent of all serious and fatal road accidents in Australia in recent times and which could be a contributing factor in up to 9 per cent of the total number of serious accidents.

Mr FITZGERALD: I support the amendment moved by the member for Gregory and wish to follow up some of the comments made by the member for Archerfield. I, too, wish to mention the problems experienced by John Citizen with regard to the roadworthiness of a vehicle, particularly in relation to vehicles that have just been certified as roadworthy. I relate these matters to this clause because an inspector may require the driver to stop the vehicle only if the inspector suspects on reasonable grounds that the vehicle does not comply in every respect with applicable motor vehicle safety and performance requirements.

Recently, a young constituent contacted me because he had bought a four-wheel-drive vehicle from a firm in Mansfield on the southern side of Brisbane. Unfortunately, I do not have the name of the firm among my papers, otherwise I would certainly mention it. The young man is a member of the RACQ and, before purchasing the vehicle, he asked the RACQ to inspect the vehicle, which it did. The inspection revealed that the vehicle had a faulty slave cylinder in the brakes and another major problem. The young fellow said, "These things need fixing up. I have the roadworthiness certificate and I am willing to put up with all the other minor defects"—because the price would naturally go up if they were fixed—"but the major safety problems will have to be fixed."

At a later date, my constituent picked up the vehicle and received a roadworthiness certificate for it. A week later, after he had driven it home, he took the vehicle to a local garage and was told that the slave cylinder had certainly not been touched. He telephoned the section of the Department of Transport that deals with roadworthiness certificates and was informed that he should go straight back to the person from whom he bought the vehicle.

He had experienced difficulty in obtaining the roadworthiness certificate and, after having been back to the firm a couple of times, he eventually got it. He said that he had to demand the certificate as it was not in the glove box of the vehicle, as required by law. He had paid his money and he also had the certificate, but when he went back to the firm he was given the run-around. Eventually, he contacted the Department of Transport again and he was told to go back and sort it out with the firm. As he related the story to me, he received no sympathy at all from the departmental officer.

I said to this young person, "You had better get me the details of this firm and I will ring them up." When I did that, the phone would not answer and I was told by a Telecom announcement that the number had been disconnected. I told my constituent to go out and see the firm and find out whether the telephone number had been changed. Of course, when he went there, he found that the firm had closed its doors and the people had gone.

The serious question arising out of this matter is: what does a roadworthiness certificate mean if it does not mean that a person has bought a safe vehicle? A person who recently bought a vehicle could be driving along and could be picked up in a random check, so the standards applying to roadworthiness certificates should be enforced. I believe that the Department of Transport should jump like a ton of bricks on people who issue false roadworthiness certificates. If there are rogues and scoundrels in the motor trading world, the department should be tough on them and should not leave it up to John Citizen. The full might of the Transport Department should be brought to bear in an attempt to clear out the shonks from the industry as quickly as possible so that we will not have as many people who believe they had a roadworthy vehicle being picked up on the side of the road and being booked for a breach of this legislation.

Mr BEATTIE: I wish to briefly raise a couple of matters about the amendment that has been moved. Bearing in mind the contribution that has been made by the honourable member for Gregory, I find it interesting that if the word "substantially" is inserted after the word "not" and before the word "comply", the effect of the whole Bill would be largely destroyed. I appreciate that the honourable member for Gregory may not have realised that, at law, "substantially" would be interpreted to mean "major". I have checked the definition of the word "substantially" in the *Concise Oxford Dictionary*, and it means that instead of the normal, commonsense approach that is followed by the courts in common law when reasonable grounds and the test of the reasonable man are considered, an inspector would need to have overwhelming evidence of a defect or have observed overwhelming evidence of a vehicle being substantially defective.

This means that the stage would almost be reached at which a vehicle would practically have to have a wheel falling off before an inspector could stop it. I inform the member

for Gregory that they are the legal ramifications of inserting the word "substantially" into this Bill. It would mean that no transport inspector would be game to stop a vehicle unless, for example, it was about to lose one of its wheels. I make those comments from a legal point of view, not a political one. Under those circumstances, if the amendment moved by the honourable member were to succeed, it would be simply destructive of the whole Bill.

Mr JOHNSON: I have to disagree with the honourable member for Brisbane Central. By inserting the word "substantially", I have in mind the many situations in which it is up to a transport inspector to say that in his honest belief a vehicle is roadworthy enough to continue its journey.

Mr FitzGerald: This is other than checkpoints.

Mr JOHNSON: This is what I am saying. By deleting "in every respect", the operator is covered and the transport inspector is covered also. That is the point I am making. I am sure that the member for Brisbane Central has misinterpreted what I am saying.

Mr ARDILL: In response to what the member for Lockyer said, it is only fair to point out that Travelsafe did recommend that the Department of Consumer Affairs take an interest in the standard of repairers and the standard of repairs that are carried out—apart from roadworthiness checks; we have mentioned that—and set up a self-regulatory body such as that in operation in New South Wales. The committee investigated the system in New South Wales and recommended that a self-regulatory body be set up to get rid of fly-by-night operators who are the main people responsible for that type of activity. At some time in the future, when the committee is able to set time aside for that, we will have another look at that particular situation. At this point in time, the Department of Consumer Affairs has not addressed that problem.

Mr HAMILL: In relation to the Opposition's amendment—the addition of the words that the Opposition would seek to insert coupled with the deletion of those other words would water down very substantially the provision that is contained in the Government's Bill. I understand the member for Gregory says that he does not believe that, and I take that to be a comment made in good faith. I must admit that I would concur with my learned colleague the member for Brisbane Central that the legal import of the Opposition's amendment would water down

the Bill. In other words, it would totally go against the object of the Bill and the object of the Travelsafe Committee in recommending so strongly that random roadside vehicle inspections be introduced.

The Travelsafe Committee pointed out that regulation 68 of the Traffic Regulations requires the owner of a motor vehicle to ensure that the vehicle, when it is on the roads, is in a good and thoroughly serviceable condition—no ifs, no buts; it must meet that standard. The Opposition's amendment would water down those standards. In other words, it is a second-rate approach to vehicle safety. It is a second-rate approach and a second-rate commitment to road safety. Although it may hurt me to say it, it is a second-rate amendment from a second-rate Opposition.

Amendment negatived.

Mr JOHNSON: I move the following further amendment—

“At page 14, after line 15, insert—

‘(c) the checkpoint is not well lit and clearly identified by the presence of uniformed officers and clearly marked official vehicles.’”

Clause 7 provides for new section 18E (2). The Minister talks about a second-rate Opposition, but the Minister is a second-rate Minister when he will not listen to a bit of commonsense. Members cannot tell me that no commonsense has come into the debate both today and yesterday. It seems to me that the Minister does not want to listen to anybody. He does not take any notice of anybody. If the Minister adopts that attitude forever and a day, he will not go very far in life. We all make mistakes. The member for Archerfield has it pretty right. I think that I heard him correctly when he said that amendments will be made to the Bill at a later date. I wonder how far down the line it will be before the Bill is back before the Parliament.

Clause 7, which provides for new section 18E (2), states—

“It is a reasonable excuse if—

- (a) to obey the requirement immediately would have endangered the person or another person; and
- (b) the person stops the vehicle as soon as it is practicable to stop it.”

I know that we have canvassed that fairly well this afternoon. I want a very legitimate amendment to be inserted, that is—

“(c) the checkpoint is not well lit and

clearly identified by the presence of uniformed officers and clearly marked official vehicles.”

I do not think that is asking too much. That will ensure that a safe point is chosen in which to pull up the general public.

Mr BEATTIE: The reality of what the honourable member said is that proposed new section 18D makes the amendment moved by the honourable member superfluous, because that is where those people would be covered. If the honourable member were to insert the amendment at that point, he would remove any opportunity for an inspector to stop a vehicle outside a checkpoint. That is the effect of the amendment that the honourable member moved. Maybe that is what he intended.

Mr Johnson: No, it's not.

Mr BEATTIE: Yes, it is. The honourable member is saying that it should be a reasonable excuse if the checkpoint is not well lit. Someone could argue that an inspector would not have the power to stop vehicles other than at a checkpoint, so we cannot do it.

Mr Johnson: A well-lit checkpoint.

Mr BEATTIE: The consequence of that is that we cannot require someone to stop other than at a checkpoint. That is why the Government could not support an amendment such as that.

Mr HAMILL: Again, the Opposition's amendment is ill-conceived. In relation to the remarks of the member for Gregory—I consider myself to be a reasonable person. When the Opposition circulated a range of amendments to the Bill, I went to considerable effort to consider each and every one of them to see whether those amendments as proposed could be incorporated in the Bill. Perhaps I come from an old school in this regard, but I do not believe that everything that an Opposition in this Parliament puts forward is of itself immediately unacceptable in Government. Indeed, if the Opposition had put up amendments which would sit well with the purpose of the Bill, which did not establish anomalies in relation to the Bill but which enhanced the operation of the Bill, I would be the first to accept them. In this Parliament, that sort of practice has occurred far too—

Mr Lingard: Very few times.

Mr HAMILL: Yes, indeed, very few times. I might give credit where credit is due. I recall a number of years ago when the Retail Shop Leases Bill—

Mr Lingard: What about Russ Hinze? He did it.

Mr HAMILL: Will you shut up for a minute and give me a go! When the Retail Shop Leases Bill was first introduced in this Parliament by the then member for Landsborough, the Honourable Mike Ahern, the then Opposition identified a defect in relation to the definitions in the Bill. I give that honourable gentleman full credit. He recognised the problems and accepted the amendment. I give him full marks for that approach. That certainly is my approach. I do not for one moment purport to have a monopoly of wisdom on all matters that come before the Parliament. I wish that some other members in this Chamber adopted a similarly realistic position.

However, the Opposition's amendment in this regard is faulty. It is faulty for the reasons that have already been outlined by the member for Brisbane Central. The test of the reasonable excuse is objective. As I have said already, if a person believes on reasonable grounds that the interception is not a proper one—for example, if someone comes out from the bushes, seeks to stop a vehicle and is not in uniform—and that person feels in danger, he or she has every right to proceed, and so that person should.

However, as the honourable member for Brisbane Central correctly pointed out, the amendment that the Opposition moved in this instance restricts the whole operation back to the checkpoints, back to those well-defined, well-marked points where the uniformed officers of the Department of Transport, on most occasions in conjunction with police officers, and at night-time certainly in the presence of police officers, conduct vehicle inspections. That is not exactly what the Opposition has intended. I do not believe that is the intention of the Opposition.

Mr Johnson: Our intention is——

Mr HAMILL: It is the Opposition's intention? I am intrigued by the honourable member's comment. The Opposition is saying that it is the intention of the Opposition, whereas the previous amendment that was moved by the Opposition related to operations other than at checkpoints. Opposition members cannot have it both ways. On the one hand, by way of their address to the Parliament and the amendments that they are moving, they are saying that in certain circumstances operations outside checkpoints are permissible and the Opposition supports them; but, on the other hand, the Opposition

now says that it does not support any of what it has already said. It is totally contradictory.

This is a point which has already been canvassed by the member for Brisbane Central, but it was a point which had been raised by the member for Mooloolah, who was expressing, I think, a genuine concern about some who might seek to impersonate authorised or accredited officers. In the Motor Vehicle Safety Act of 1980, which was enacted not by a Labor Government in this place but by a coalition Government—this was before the coalition was thrown out—the coalition Government put forward the following provision in section 43 of the Act. Although this is only an amendment Bill, it does not in any way alter this particular section—

“A person shall not falsely represent himself to be an inspector or authorised officer.”

There is a penalty there for anyone who seeks to pass himself off as a transport inspector or, indeed in terms of the meaning of this legislation, a police officer purporting to act under the legislation. The safeguards are there. I recognise the sincerity of a number of members of the Opposition who have sought to express their concerns in relation to the operation of this legislation. I trust in the briefings that have been provided by quite a number of the members of the Opposition and indeed by the responses in the Chamber today that those concerns may be allayed.

I make no apology—no apology now or at any other time—and express my total contempt for those members of the Opposition who have not acted sincerely in relation to these measures and who have gone out in the community in the full knowledge that they have been spreading mistruths and half truths in an effort to try to generate community concern when that community concern is unfounded. I believe this House collectively should have nothing but contempt for those less than honourable members who have sought to conduct themselves in that manner.

Amendment negatived.

Clause 7, as read, agreed to.

Clauses 8 to 11 and Schedules 1 and 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

Hon. D. J. HAMILL (Ipswich—Minister for

Transport and Minister Assisting the Premier on Economic and Trade Development) (4.24 p.m.), by leave: I move—

“That the Bill be now read a third time.”

Question put; and the House divided—

AYES, 48—Ardill, Barton, Beattie, Bennett, Bird, Bredhauer, Briskey, Budd, Burns, Casey, Clark, Comben, D’Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Welford, Wells, Woodgate *Tellers:* Pitt, Livingstone

NOES, 34—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Randell, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Turner, Veivers, Watson *Tellers:* Springborg, Laming

Resolved in the **affirmative**.

BRISBANE CASINO AGREEMENT REGULATION 1993

Disallowance

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (4.30 p.m.): I move—

“That Brisbane Casino Agreement Regulation 1993 tabled in this House on 12 May 1993 be disallowed.”

There are a number of substantial reasons why the Brisbane Casino Agreement Regulation 1993 should be disallowed. These include the fact that a Senate committee is inquiring into share trading in Conrad Jupiters when it has won the Brisbane casino licence. It also includes the fact that the Treasurer is the final arbiter of any change of plans, be they minor, subtle or major. It also includes the fact that there is no requirement for the third founding partner to be in place before this regulation is approved.

I will now deal separately with those points. The Joint Statutory Committee on Corporations and Securities has been asked to conduct an investigation into share trading in Conrad Jupiters following its being awarded the Brisbane casino licence. The committee had asked the Australian Securities Commission to examine Jupiters share trading prior to the company being named as part of the winning consortium for the Brisbane casino licence. Members of the Corporations and Securities Committee were not satisfied with the thoroughness of the investigation by the ASC. The committee itself decided to go

back to the ASC and look at matters relating to Daikyo’s intended withdrawal from the consortium. It will be recalled that Daikyo held Jupiters shares valued at about \$100m, and on the day that the Treasurer and Cabinet approved the Jupiters consortium as the preferred developer of the Brisbane casino, Daikyo agreed to sell out.

At present, the Commonwealth Public Service Superannuation Fund and Conrad International hold the required 40 per cent equity between them. The Government’s preferred founders equity model required that at least 40 per cent of shares should be held by three founders, none of whom could exceed one-third or hold less than one-sixth of restricted shares. Daikyo divested itself of its leading 24 per cent holding in Jupiters.

It is of passing interest only to note that, according to share registry records, Labor Holdings—the ALP’s investment arm—bought \$570,000 worth of shares in two Jupiters Casino companies in the month before State Cabinet announced that it would seek tenders for a Brisbane casino licence. Labor Holdings sold all of its Jupiters shares after the investment was made public in January 1992.

One of the points that is troubling is that the Treasurer is the final arbiter on changes—

Mr De Lacy: Don’t you trust me?

Mrs SHELDON: How could the Treasurer possibly say that? As I said, the Treasurer is the final arbiter on changes to plans and works. The Treasurer has inordinate power. What is worrying me is that there is no opportunity for Parliament to scrutinise major changes to this heritage listed building. The Opposition is aware of the processes for the approval of the changes but, at the end of the day, the Treasurer himself says “Yes” or “No”. We do not believe that that is adequate control.

The Government did approve a heritage protection package in an attempt to ensure the preservation of the building. The conditions of the package include requiring Jupiters to employ a heritage consultant as well as an historical archaeologist. However, any changes will not come back before the Parliament. The Treasurer himself approves them, no matter their extent.

In terms of heritage, the Treasury building is probably Australia’s most important building, and the Opposition believes—

Mr De Lacy: It looks good today.

Mrs SHELDON: It looks like a demolition site. The Opposition believes that we would be

derelict in our duty if we were to give the Government the green light with respect to this legislation. It is a case of Caesar judging Caesar. From the heritage point of view, that is a great weakness of the system. The final arbiter should be the Heritage Council, but that will not happen, as the Heritage Council disapproved of the original plans. The Heritage Council's role in the process has been reduced. We believe that there should be an independent body to look at any change of plans. Some of the changes could be minor; they could be subtle; or they could be large. There is really no control over the process, apart from the political flak that the Treasurer might wear. It is important that political pressure is put on him.

This Government is not trusted. It has ridden roughshod over the National Trust and the Heritage Council. It is the view of the trust and the council that the Government gave an undertaking that the heritage legislation and its processes would not be bypassed. Instead—

Mr De Lacy: The legislation wasn't bypassed.

Mrs SHELDON: For its own ends, the Government bypassed what the council wanted. It would not listen to the Heritage Council which it had appointed. Instead, the Government put its jackboots on and declared the 1888 Treasury building to be a Crown project, which has allowed the Government to escape vital provisions of the Heritage Act. The heritage Act is a complete sham, and this Government should not be given the opportunity to make a sham of this Brisbane casino agreement.

A journalist asked the Treasurer what was the point of this Government establishing the Heritage Council when it ignores it, and the Treasurer responded, "Good question." Perhaps the Treasurer would like to enlarge on that statement. Is he going to disband the Heritage Council? What are his future plans for it? The Opposition does not want to leave the stable door wide open in relation to the agreement. We do not want the Government to have the excuse that the Parliament let the Treasurer have free rein to shrug his shoulders and say, "Good question."

The regulations require that Jupiters use only its best endeavours to find a third founding partner and, if it does not find a third founding partner, nothing is valid. That is really a change of the requirements of the tender document. I think that should not go unnoticed. Without a substantial third founding partner, we are really putting all our

eggs in one basket. If Jupiters was not to make a go of it, we would be left with a Treasury building converted to an inappropriate use by an organisation that could not make a go of it. The first thing that would suffer would be the physical state of the buildings themselves. The worst case scenario is that, if Jupiters wanted to opt out, we would be left with a building that has been converted. What would be put in it then? The third founding partner is insurance which should be pursued, but this regulation allows the Goss Government to walk away from its responsibilities.

This Government is not trusted. This agreement should not be signed until the third founding partner is put in place. The Parliament would be derelict in its duty if it did not endeavour to ensure that i's were dotted and the t's were crossed before the agreement was passed. When the third founding partner is put in place, the Government should resubmit the regulation. In the meantime, it should be withdrawn. This Government is asking the House to approve this regulation with the third founding partner unknown and unseen. Frankly, it is not on. Well may the Government say, "Trust us. We are the Government. We look after the public interest." On the matter of the Brisbane casino, the Government is not to be trusted and will not be trusted to do the right thing.

Jupiters was named the preferred tenderer for the lease on 26 May 1992. The Government has granted Jupiters an extension of time to find a third foundation shareholder, but Regulation 69, Additional Founder, requires that Jupiters merely use its best endeavours to find a third founder shareholder before the issue of the licence at the completion of the project. This may not be an important issue for the Government, but this Government's arrogant standard of accountability and management is such that it cannot be trusted. It is a secret Government which prefers to hide facts and deals from the public. The Opposition is not going to encourage it by giving it open slather by approving this regulation.

Mr SLACK (Burnett) (4.39 p.m.): I second the disallowance motion moved by the Deputy Leader of the Coalition and shadow Treasurer. I support the reasons enunciated for disallowing the Brisbane Casino Agreement Regulation, particularly that the third founding partner is not yet in existence and the excessive power provided to the Minister—namely, the Treasurer—that this agreement provides. If the Goss Government was caring and could be trusted, the

Opposition would not have to oppose this regulation, but it is a slippery Government. One need only consider the way in which it has slipped away from its heritage responsibilities with respect to the Treasury building to appreciate that it has no feeling for or understanding of tradition or heritage. Worse still, it has little or no care about the concerns of heritage organisations—private or Government appointed.

As the Treasurer will appreciate, the National Trust and the Heritage Council have both opposed what the Government has done in this respect. The agreement gives Jupiters until the scheduled April 1995 completion date to find a third partner to replace the Japanese property and tourism group Daikyo, which sold its share stake last year. The Treasurer is on record as saying that licence would still be granted regardless of whether a third investor was found or not. If that is so, it shows a total disregard for the so-called strict procedures to be followed.

When Cabinet confirmed Jupiters as the winner of the Brisbane licence, it was on the basis that Jupiters should make its best endeavours to find a third partner, a third founder/shareholder—regulation 69. As the shadow Treasurer said, the Government model required at least 40 per cent of shares to be held by at least three founder members, each limited to between one-sixth and one-third of the founder holding. The House must keep in mind that the Goss Government took the role of official developer of the Brisbane Casino to circumvent the necessity for Queensland Heritage Council approval of the \$220m casino/hotel project.

The Government is on record as saying that Jupiters had taken considerable steps towards finding a replacement for Daikyo. These have not been made public. It went on to say that the task of finding a third partner had not been made easy by the Government by restrictions being imposed on trading in founder shares. In other words, the high aspirations contained in the Government's preferred model are going to be ditched. There is also the excuse for the possibility of not finding a third founding partner by reference to the high number of other opportunities for investing in casinos in Australia and the Pacific region.

All this appears to be preparing the ground for a long haul to find a third founding partner. The public has been softened up for the possibility of there not being a third partner. If this is so, the Government should clearly say so and stop the charade. It must

be remembered that none of the short-listed applicants for the Brisbane Casino licence had fully met the preferred founder model.

Of equal concern to the Opposition is the excessive power of the Minister, namely, the Treasurer, who, at the end of the day, will approve all changes to the project, large or small. It must be kept in mind that there have been significant changes to the plan since the selection of the Treasury Building/Queens Park/Lands Administration Building precinct for the Brisbane Casino. The original plan boasted some 150 hotel rooms, but now it is down to 136 rooms. At the time of the announcement, the architects group said it would be impossible to install 150 hotel rooms while maintaining the heritage characteristics of the Land Administration Building. At the time, the National Trust and the architects group were criticised by the Government for being elitist.

This Government is most impatient with persons who question the heritage values of the Treasury Building or the preservation of those values. One has only to consider the Brisbane Casino Agreement Act, which stops anyone from challenging, appealing against or questioning decisions on the casino redevelopment.

The regulation before the House continues the same arrogant trend of ensconcing power with the Treasurer. The Treasurer decides the fate of the Treasury Building, and there is no recourse for the public to question decisions. He can wield a free hand without fear of examination under various statutory and legal avenues that are available. There is no organisation or authority that can act as a check and balance on the Minister. All power to the Treasurer! There is no commitment to this 1888 building, except to get it "casinoised" within the boundaries of a very loose framework. The Opposition will not assist in the pursuit of excessive power by approving this regulation.

In conclusion, I make a couple of other comments. This building is obviously being converted at present, before this motion has come before the Parliament, which very much disregards the role of this Parliament in making decisions about agreements. It is basically a contempt of this Parliament to commence the building, and a complete disregard for the Act of the Parliament and its regulations. Government embarks on the project without having given the Opposition the opportunity to object to the regulation before the Parliament.

Mr De Lacy: What rubbish! You had the whole legislation. You could have opposed that. I told you what was going to be in this, and it's in it.

Mr SLACK: We are opposing the regulation. We also opposed the legislation as such. The Treasurer is taking away any chance of legal challenges to his decisions. That was contained within the casino legislation itself. What about judicial review? What about the fact that the Government has bypassed the Brisbane City Council?

What the Government is doing with this casino is in effect carrying out a ministerial rezoning. All power to the Treasurer! The Treasurer would appreciate that, if there were any little cosy deals between him and Jupiters, there is no avenue within the agreement to check them. Allegations have been made of cosy deals. A Senate committee has commenced an inquiry into the share dealing. I do not make any accusations, but it seems an opportunistic time for the ALP to be gathering shares in Jupiters, just before tendering commences for the casino. A fair-minded person would ask whether there was anything untoward in that. Certainly the timing was not very good from the Government's point of view.

What is more, we are extremely disappointed that the Public Works Committee has not seen fit to investigate this matter. I know that the Public Works Committee has pointed out, following advice from the Crown Solicitor, that the matter does not come within its jurisdiction. However, I understand that two other independent sources of legal advice were sought and they both indicated that the matter did come within the jurisdiction of the Public Works Committee. The Opposition is very disappointed in that. Obviously, there is no check and balance available through the Public Works Committee.

I make passing reference to the fact that the Government dominates such committees through the number of Government members on the committees. Therefore, irrespective of what Opposition members would have to say within the committee, Government numbers would count.

A similar thing is occurring here. All power goes back to the Treasurer. There is no reference to the Parliament in this agreement. No checks and balances are in place. How does the Treasurer expect the Opposition in the Parliament to approve such an agreement?

Mr DAVIES (Mundingburra) (4.47 p.m.): In deciding to offer the Treasury site, including

the Treasury and Land Administration Buildings, Queens Park and the William Street/Queens Wharf retaining wall, as a potential casino site, the Government was very mindful of the heritage importance of these four registered places. To ensure the preservation of those elements which contributed to this, the following steps were taken from the very outset—

The site was to remain in Crown ownership, with a lease rather than freehold title being granted to the successful applicant. This enables the Crown to specify stringent lease conditions to apply to both any development of the site and to ongoing maintenance.

Any proponent seeking to develop the site was required to—

“include a professionally prepared statement of conservation policy setting out the cultural significance and proposed conservation procedure in accordance with the Guidelines to the Burra Charter.”

That was contained in the brief to the applicant's Part B at page 12.

All proponents were given summary information on the significance of the elements of the site, relevant extracts of the Burra Charter and access to information prepared by the Administrative Services Department on the fabric of the Treasury Building.

In its initial submission to the Inter-departmental committee, Jupiters provided a significant, but still preliminary, evaluation of the heritage significance of the site, prepared by one of Australia's leading heritage experts, and a co-author of the Burra Charter, Dr Miles Lewis, and a leading Queensland heritage architect, and member of the National Trust of Queensland Council, Mr Richard Allom.

The broad finding of this preliminary study was that the proposed use for the buildings was possible without undue detriment to either the fabric or the historic and cultural significance of the site. On the basis of this advice, and the advice of a working party which included officers from the Administrative Services Department and the Department of Environment and Heritage, the IDC recommended to the Government in May 1992 that Jupiters be made the preferred applicant for a casino on the Treasury site.

This was accepted by the Government subject to a number of conditions, including a requirement that discussions take place with

the Minister for Environment and Heritage on the project and that the provisions of the Queensland Heritage Act, which had not at that time come into effect, be complied with. Jupiters also were obliged to retain the services of Mr Richard Allom as heritage architect in the development of the required submission to the Heritage Council.

In the period between May and December 1992, Jupiters, their heritage architect, Treasury, the ASD—both its Q-Build project services and its historic buildings section—and the Department of Environment and Heritage worked together to turn the preliminary heritage studies into a fully developed submission to the Heritage Council. This task included—

- preparation of a detailed report on the cultural significance on all aspects of the site, including a commissioned report into the archaeological potential of Queens Park;

- development of a conservation policy for the site; and

- development of a strategy for the implementation of the conservation policy.

During this long process, the plans for the project were continuously under review to ensure that the final project fitted to the maximum extent possible the requirements of the conservation policy. In many areas, major adjustments and operational compromises were made to the initial proposals to minimise impact on the buildings. By the completion of this enormous task, and its submission by ASD on behalf of the Crown to the Heritage Council in December 1992, the work done represented an unparalleled effort to ensure the preservation of the essential heritage features of the site. It is difficult to imagine a higher quality or more detailed submission on any project.

Furthermore, the nominal applicant, Jupiters and its advisers were prepared, and fully expected, to negotiate with the Heritage Council on a range of issues which had not been resolved at that time. Regrettably, the Heritage Council opted out of an ongoing involvement in the process by recommending against the acceptance of the Jupiters proposal in toto. In response, the Government adopted a five-point heritage protection package to ensure that the heritage values of the sites were preserved, while allowing the project to proceed.

Key elements in this package included: the establishment of an expert working group,

involving the Department of Environment and Heritage, the Administrative Services Department and Treasury, to work through and resolve issues which had been raised during the public consultation phase of the Heritage Council process; and inclusion in the casino agreement of details of the heritage requirements which are to be negotiated between Jupiters and the expert working group. Other key elements included that the agreement would be a legally enforceable document, and the nominated representatives of either the Minister, the Treasurer or the Minister for Environment and Heritage would be able to issue stop-work orders if unapproved works were being carried out; that no works could be carried out unless agreed to by the Treasurer or his nominee; and no casino licence would be granted to Jupiters until and unless it fully complied with the terms of the agreement.

In addition, Jupiters would be obliged to employ a recognised adviser throughout the design and construction phases. Jupiters would also be required to employ a recognised historical archaeologist to advise on and supervise excavations and ensure that the archaeological potential of the area is thoroughly and professionally investigated and recorded. Jupiters would also be required to prepare detailed records of all aspects of the existing fabric of the sites and all items to be removed from the sites.

This process resulted in the presentation of a detailed report to the Treasurer by the expert working group, outlining some 20 areas where discussion with Jupiters had resulted in improvements to the design or enhancements to heritage aspects of the proposal. Further discussions between the Treasurer and the Minister for Environment and Heritage, including a full inspection of the areas involved, resolved the two issues that the expert working group had not been able to resolve prior to that.

All of these agreed changes have been incorporated in the Jupiters plans for the development. The expert working group continues as an advisory group to the Treasurer's nominated representative to ensure that the final product lives up to both the letter and the spirit of the Government's undertakings to preserve the heritage values of the sites.

The first steps in site development have commenced in accordance with governmental approvals. These steps have included the full fumigation of both buildings against the West Indian drywood termite to protect the very

significant joinery works within the buildings. At the end of the day, even these measures will not satisfy those who are fundamentally opposed to the change in the use of the buildings. They certainly will not satisfy the Opposition. However, the extraordinarily detailed and careful planning that has occurred, and the rigorous control that will be exercised over the project as a result of this agreement, will ensure that the buildings are restored to internationally accepted standards and put to a real community use. They will also ensure that, when it is completed, the Brisbane Casino will be one of the great casinos of the world.

I should like to talk about a couple of other aspects in relation to the financial returns to the taxpayers of Queensland from casinos in Queensland. Not many years ago, we did not have casinos in Queensland. But since they were introduced, the Broadbeach and Breakwater Island casinos have brought in about \$218.2m for the Queensland Government since the issue of their licences in 1985 and 1986 respectively. These revenues are currently running at around \$38m per annum. That figure is expected to more than double with the issue of the Brisbane and Cairns casino licences in 1995.

These are the sorts of things that the Opposition is opposing. It is opposing the progress that the Treasurer has implemented by bringing into this House both the Brisbane and the Cairns casino legislation. Those financial returns are an important ingredient at a time when the State's traditional revenue bases are under stress as a result of the poor economy and Commonwealth cutbacks.

In addition, the Brisbane licence also involves the renovation of the historic Old Treasury Building and the Land Administration Building, saving the taxpayer some \$48m. It also includes the funding of the major part of the \$170m South Bank Convention and Exhibition Centre. Through these projects, the licence also involves some \$400m being injected into the tourism industry of Queensland and the creation of up to 1 800 permanent jobs. The Cairns casino will also provide for the renovation of the currently derelict, old Customs House; the near doubling of the area of Anzac Park; \$36m for the construction of a world-class convention centre, an important addition to the tourism infrastructure of that city and far north Queensland generally; and in the order of \$160m in capital works and some 700 direct permanent jobs.

The protestations by the Opposition, and its delaying tactics, are opposing a \$170m development in Cairns and the \$36m development of a convention centre in Cairns.

Time expired.

Mr D'ARCY (Woodridge) (4.58 p.m.): The Opposition amazes me, because it opposes a regulation which, in reality, is nothing but a building contract. The Opposition had the opportunity to raise some fairly serious issues during the tendering process. I even argued some aspects of that process with the Treasurer. The Opposition did not.

Mrs Sheldon: You said that the whole process would be open, Bill.

Mr D'ARCY: This is not the tendering process. The honourable member is wrong. We are talking about the agreement for the building. The tendering process is finished. What the honourable member is talking about bears no relationship to some of the matters that she raised.

The share trading situation was totally open with the ASC. It has been discussed. Obviously, no conclusion has been reached that there was anything wrong with the share trading that took place. Of course, there would be some speculation on the market prior to a tender when only a few tenderers are in a position to win such a contract. One would have expected the major operator in south-east Queensland who had been successful in that field to submit a very good tender. Obviously, some companies speculated on that, and there was a small change in the shareholding on the market.

Labor Holdings held shares in Jupiters for a very long time. During that period, it benefited from some of the share issues. Because of the way in which Labor Holdings operates within the party, no-one in this Parliament, including the Treasurer, would have had any knowledge of the companies in which Labor Holdings was investing. Members can take it as read that there is no contact in that regard between the board of Labor Holdings and members of this Government. That has been held sacrosanct by both the party and the Government itself. That Labor Holdings held shares in Jupiters for many years bears no relationship to the share trading. I understand that Labor Holdings got rid of those shares because it could have been embarrassed in the future. But that issue certainly bears no relationship to this particular regulation.

The third point that the honourable member raised was the matter of the founding

partner. The fact is that since Daikyo left the Jupiters consortium, the agreement has not been fulfilled. The Government has been aware of that, and it was made known in the Bill, so it is nothing new that that agreement has not been fulfilled. Obviously, people have been looking for somebody to fill that position and the fact is that no company has offered itself as a partner. That shows that in the tourism area the world market still has not recovered. Certainly, the position is available, it is open, and if companies thought that the return was there at the rate that the Opposition seems to think there is, or that there is some fiddling going on, that issue would have been taken up. Obviously, that position will be taken up when the economic situation rights itself.

As to the heritage debate—I thought that it had taken place already. Mr Davies outlined fairly well the full history of what had been carried out. However, the Opposition has thrown everything at the Treasurer. The Treasurer does have a right of veto, and it is quite obvious that that right of veto is very strong. However, the Opposition has missed the point that the regulations state that stop-work orders can also be issued by the Minister for Environment and Heritage. Several pages of regulations refer to that point. They also refer to the reasons why the Environment and Heritage Minister could issue that order, and the Minister does not have to refer to the Treasurer at all. The Minister can issue a stop-work order in writing. It may be served personally on the company, or be affixed to a position on the site, where it shall be immediately binding on the company, its servants and agents and any independent contractors claiming through the company. That point has been missed totally by the Opposition. It spells out the fact that the heritage architects who are involved will continue to have contact in regard to the building arrangements.

At this stage, I cannot see why the Opposition now opposes the Brisbane Casino Agreement Regulation which, as I say, largely spells out the building arrangements. Even if it does have something to say, the horse has bolted, and none of the things that it has raised are relevant to the current situation. The Opposition looks quite foolish in raising these points now. It really does not make sense. When one considers the overall situation, with the Brisbane Casino Agreement, the legislation and the work that has been carried out already, the Opposition still does not seem to know what it is doing. The legislation was passed in May so that the

company could get on with the job. It has got on with the job. The Opposition is now opposing matters that are in train already.

The member for Burnett raised points relating to heritage and the disruption of Queen's Gardens. The fact is that we all knew that on the surface Queen's Gardens was going to be restored to its original appearance. Nothing is going to change. That was guaranteed in the original Bill, and it is guaranteed by the regulation. If the member for Burnett is complaining about the disruption that has been created by the refurbishment of a building in the Brisbane CBD, anyone would know that disruption was going to occur during this period.

The other matters that were opposed by the Heritage Council could not have been avoided. They related largely to the kitchens and such things, which will be located in the basement, that are necessary for the running of a hotel/casino. That was spelt out both in the regulation and in the building contract, and has been spelt out elsewhere. Another issue was the provision of surveillance and security, which meant that some things had to be changed. They were spelt out as well.

When the Opposition gave notice of motion of disallowance, I waited with bated breath to discover out what points it would raise. However, as to the points that it has raised—the horse has bolted. The building has started, and this is the contract. For the life of me, I cannot see that the Opposition has any serious point to raise in this motion of disallowance.

Mr De Lacy: And they didn't raise it.

Mr D'ARCY: As I said, the Opposition raised three points that are irrelevant. This has really been a waste of the time of this Parliament, and it is also a waste of the resources of this State.

Mr WELFORD (Everton) (5.05 p.m.): I join other members of the Government in opposing this motion for the disallowance of the Brisbane Casino Agreement Regulation. Frankly, I find very difficult to understand the objections of the Opposition. As is so often the case in motions of disallowance moved by the Opposition, they seem to have some sort of ulterior motive. Perhaps they think that by giving notice of this motion a few months ago, they had somehow frustrated the Government's legislative agenda. Perhaps they wanted to reopen some of the issues that they either failed to debate, or failed to debate adequately, when the original Bill was passed. Whichever way one looks at it, the reality is that the Opposition has raised

nothing of substance at all in this motion of disallowance. It is bemusing to members of the Government that we should sit here and try to respond to objections that have no substance to them. They do not raise anything new.

Mr Bennett: Mrs Sheldon even left the Chamber.

Mr WELFORD: That is right. The Opposition had only two speakers. As evidence of the extent of their concern, very few members of the Opposition are present in the House, and 50 per cent of those who chose to speak on this notice of disallowance—only two of them—have walked out. One wonders how serious they are in raising any objection to this regulation at all.

Mr SANTORO: I rise to a point of order. For the information of members opposite—

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! If this is an irrelevant point of order, I shall deal with you severely. What is your point of order?

Mr SANTORO: It is just to let the House know that Mrs Sheldon had a previous engagement.

Mr DEPUTY SPEAKER: Order! There is no point of order. I warn the honourable member under Standing Order 123A.

Mr WELFORD: The member for Clayfield represents a classic example of time wasting in this place. He is an absolute and utter waste of space. His every utterance by way of point of order is inevitably—

Mr DAVIDSON: I rise to a point of order. Opposition members do not feel that the member for Clayfield's space here is wasted.

Mr DEPUTY SPEAKER: Order! There is no point of order. I now warn the member under Standing Order 123A.

Mr WELFORD: Members of the Government have been waiting with bated breath for the member for Noosa, who graced himself on the front page of the *Courier-Mail* with certain assertions about the qualities of members of Parliament, to talk about who is a waste of space. I have to say that if ever there was a justified criticism of the remuneration of members of Parliament, it applies to the member for Noosa.

Mr SPRINGBORG: I rise to a point of order. I feel that the honourable member should be getting back to the disallowance motion before the House.

Mr DEPUTY SPEAKER: Order! I am in the chair, and I will make that ruling. The honourable member will resume his seat. I suggest to the honourable member for Everton that he return to the subject of the motion.

Mr WELFORD: Mr Deputy Speaker, I thank you for your protection, and I am delighted to oblige. The matters that appear to have been raised by members of the Opposition simply do not address any of the substantial issues relating to the casino. Of course, the casino is of substantial economic interest to this State, yet members of the Opposition, lemming like, are marching in and trying to place obstructions in the way of economic development. I note that the member for Burnett raised the question of an independent appeal process—presumably, ad infinitum. He wants one appeal after another until we have gone to 15-dozen tribunals, 10 courts and then to someone who is sitting on the right-hand side of God before we actually make a decision about constructing this casino. We heard only in the last two weeks how members of the Opposition squealed when there was one moment's suggestion that the Aboriginal people of Australia should have any appeal process, any tribunal process or any rights at all.

Mr De Lacy: It's a Mabo claim.

Mr WELFORD: Absolutely. As the Treasurer says, this is nothing more than a concealed Mabo claim by the members of the Opposition. They are like misguided missiles setting up some sort of symbolic objection. Perhaps they would like to lay claim to the site currently being developed for the casino just as, indeed, they made magnanimous investment decisions in relation to a whole host of other sites around Brisbane, most of which were developed only after quite generous donations were made to the Bjelke-Petersen Foundation in brown paper bags on the 15th floor—

Mr DEPUTY SPEAKER: Order! The Chair has been very tolerant with the honourable member for Everton. Unless the member returns to the contents of the motion, I will ask him to resume his seat.

Mr WELFORD: Mr Deputy Speaker, that proposition is much easier said than done because members of the Opposition really have no content in their motion, and that is part of the difficulty that I am having.

Let me examine the process that was used in addressing the development of the casino. The process was one of the most

lengthy, detailed, thorough, rigorous and open processes that had ever been undertaken for a public development in this State. It has cost the people of Queensland virtually nothing and, down the track, will generate significant returns. No-one denies that at some time or other all of us had concerns about the heritage values of the Treasury Building and the implications for those heritage values of siting a casino in that building. But let it be said that I do not think there has ever been a more genuine commitment on the part of a Government to develop this site in sympathy with the heritage values of the Treasury Building than has occurred on this occasion. As recently as today, I was speaking with the chairperson of the Heritage Council who informed me that, from the Heritage Council's point of view, they are very comfortable with the efforts that were made by the Government, even after the tender was accepted. As the member for Mundingburra said, there has been continuous review of the architectural design of the building and its surrounds.

Mr Davies: They almost approved it the first time. It was only four-three, the vote.

Mr WELFORD: Indeed. This continuous review has been undertaken in an attempt to address those concerns of the Heritage Council. As the honourable member for Mundingburra correctly points out in his interjection, the Heritage Council came very close to approving the project the first time. Because of the nature of the criteria that the council had to address, certain factors relating to Queen's Gardens—not so much to the building itself—and the block wall became the object of concern. In essence, what the Opposition seems to be doing is nothing more than making an attempt to reopen a very, very old issue, but it has provided no new material and no new arguments.

Mr Davies: And no speakers.

Mr WELFORD: And no new speakers—only two speakers out of 36-odd on the Opposition benches.

Mrs Woodgate: "Odd", yes.

Mr WELFORD: Very odd, yes. One wonders what really is behind the objections raised by members of the Opposition.

The main point raised by the member for Burnett was the question of an appeal process. As I have pointed out, not only is the Opposition's position hypocritical in relation to the rights of review and so forth—because the Opposition has opposed those very same

rights in respect of Aboriginal claims in various places throughout Queensland—but also the reality is, and they know it, that sooner or later, someone has to be accountable for the decisions. This Government has accepted responsibility for the decisions it has taken in relation to the casino and for any criticism that might arise in relation to the process by which those decisions have been made.

One does not have to go back many years to see the way in which those sorts of decisions were made under previous Governments and to see that none of the checks and balances and no independent process applied. The previous Government made all its decisions by Executive fiat. One only has to recall instances when buildings were knocked down in the middle of the night to see the way in which decisions were made in respect of heritage sites under the previous Government.

The upshot of today's entire debate is that there is absolutely nothing new in the objections raised by members of the Opposition. They have simply purported to reopen the very same issues they so woefully attempted to raise when the substantive Bill was before the House. One wonders what their motives are, because they have certainly provided nothing of substance during this debate.

Time expired.

Mr FENLON (Greenslopes) (5.15 p.m.): I rise to oppose the motion that has come before the House. In doing so, I point out that the chooks which flew out in a harebrained fashion in May when this motion was brought before the Parliament have come home to roost for the National Party. Again, the white leghorn has landed!

Where is the member for Caloundra? She has not remained in the House during the course of this debate, nor has one iota of courage been displayed by members opposite. Indeed, they should be ashamed of their own parties for putting forward this motion in such a harebrained fashion simply because they are such bad losers. They know very well that the Brisbane casino project will be one of the great success stories of this State. It will invigorate the city centre and it will be a wonderful project which will create a world standard casino facility for Queenslanders and will provide an even broader base for tourism in this State.

But what members opposite hate most and consider to be the most terrible feature of this project, besides its potential for success, is its creation of jobs for Queenslanders. I know

it hurts members opposite, and today they do not wish to be seen to be associated with a debate that obviously contains so many positive elements for Queenslanders. In the short and long terms, jobs for Queenslanders will be created by this project. In fact, this is already occurring. Things have changed since members opposite put forward this motion in May. If honourable members opposite took the time to take a stroll at lunchtime or in the evening, they would see that Queenslanders are working on the site and are receiving pay packets for the work they are doing. It is happening now, but I know that it is a very difficult pill for members opposite to swallow.

The project is a very fine one. Although there has been some controversy and the spread of misinformation throughout the development of the project in relation to heritage matters, the fact is that the project is well accepted by the community and people are looking forward to the services that the casino facility will provide. The project will provide great economic prosperity for Queensland.

The legislation from which this regulation stems is extraordinary. It was debated in some detail on 25 November 1992 and particular provisions of an extraordinary nature were incorporated into the legislation at that time. They were included to ensure that the major companies involved in the tendering process and in pursuing the project would not be stalled in an unwarranted manner, bearing in mind the amount of capital involved, and to provide those companies with some clarity of their prospects in pursuing the tendering process to finality. This created the circumstances in which specific protections, which were provided in the statutes under other circumstances, had to be reduced. The provisions have been very clear and the process has proceeded very smoothly from the outset. Queensland taxpayers will indeed benefit as a very direct result of the clarity that has been created, and the processes are continuing.

This disallowance motion before the House is a bit like the football team at the grand final coming back the next week and saying, "We did not like the outcome. Although it was the grand final, we played hard but we would like to have it again because we lost. We lost the grand final."

Mr FitzGerald: This is a disallowance of regulations.

Mr FENLON: I take the interjection. If members of the Opposition were serious about the disallowance of regulations, they

would put forward an argument and speakers would jump to their feet on the opposite side of the House, but there were only two. If the Opposition was serious, its members would put some arguments, but not one single argument was put. Members opposite want to have the grand final again. Without the arguments, they must lose the grand final. It is a very sad indictment on the Opposition in this House to rerun the grand final and lose again. Not only is the Opposition coming back with a poor team without much match practice, but the grand finalists on the Government side of the House have an even greater track record behind them. This project is such a success, and it will continue to be a success.

If only the member for Clayfield could have joined the debate. Government members are so disappointed that he could not do so. We can credit the member for Clayfield with some intelligence, because even he knows that, if he were to stand up in this House, he would be associated with the prospect of speaking against one of the great success stories in this State. His good constituents in Clayfield would be absolutely ashamed of him for arguing against the regulations and the Bill. The casino project is going ahead. It is a great success. I know that it is very hard for members on the opposite side of the House to swallow, but they will have to swallow it. They will have to live with it. This process will go ahead.

Hon. K. E. De LACY (Cairns— Treasurer) (5.24 p.m.), in reply: The futility of having this debate at all has been made fairly clear. One would wonder why the Opposition would proceed with the disallowance motion. As some Government members said—

Mr Slack: If you were genuine, you would have brought on the debate the day after the resolution. It would have had more relevance then.

Mr De LACY: Is the honourable member presuming to say that the Opposition had an argument then or a reason for disallowing it?

Mr Slack: No, I'm presuming to say if you were sincere in what you're saying, you would have done it then.

Mr De LACY: The Opposition has had the opportunity today to pursue its disallowance motion. As the member for Woodridge said, the Opposition never raised a single issue in that agreement. Members of the Opposition regurgitated the same arguments that they used and raised during the introduction of the legislation. They do not understand what they are all about, and that

is why the Opposition is becoming a joke to the people of Queensland.

One of the Government members made reference to the fact that perhaps all that members of the Opposition are on about is the same old spoiling tactics. If an Aboriginal group were to involve itself in similar sorts of tactics, Opposition members would be absolutely outraged. Could members imagine the reaction of the member for Burdekin if an Aboriginal group tried those kinds of spoiling tactics to stop what is one of the biggest development works going on in Queensland, second only to the Comalco expansion at Gladstone?

Nobody takes members of the Opposition seriously. The Government does not take them seriously, and I presume that members of the Opposition do not take themselves seriously. However, what if the Opposition were successful in this disallowance motion? It would mean that the Government would have to close down operations on the casino site. The Government would have to close down operations on the South Bank Convention and Exhibition Centre. I trust that members of the Opposition would give out those pink slips to the hundreds of people who now have jobs because of that initiative of the Goss Government. Did members opposite think that through? Did they think that perhaps the Opposition might win and that that may be an outcome; or did the Opposition go into this knowing that it cannot win and that nobody would take it seriously, anyway? If they are the objectives of Opposition members, if that is the way in which they are motivated, it does not say much for them.

Mr Davies: Settle into opposition.

Mr De LACY: Opposition forever! Members opposite made the point that the Government is proceeding with the development without giving the Opposition the opportunity to debate the subordinate legislation, in other words, move for a disallowance. However, nothing in the agreement is inconsistent with the legislation that was introduced into Parliament. That is obvious, by virtue of the fact that neither of the speakers on the Opposition side raised a single issue in the agreement.

As the member for Woodridge said, those regulations, or the subordinate legislation that the Opposition proposes to disallow, are really the agreement between the builder and myself, the Treasurer, on behalf of the Government. If there is something about it that members of the Opposition do not like, they should have

pointed to that, but they did not, because they do not know what they are doing. They do not know what they are moving. They do not know the reasons why they are moving it. They are trying to score a political point, to get a column centimetre somewhere, and that is all. I suppose that that is in their defence, because if they were serious about trying to stop the project, that would say a lot more about them.

Three issues were raised by the Leader of the Liberal Party and supported by the member for Burnett: firstly, the Senate committee inquiry into share trading. They said that the Government should not proceed with the development until after the Senate committee had completed its investigations. Could one imagine any responsible Government waiting for the Senate to conduct a politically inspired witch-hunt into the casino development in Queensland? Is the Opposition suggesting that the Queensland Government could not make decisions and progress those decisions until the Senate had got its act together, had one of its famous investigations and come to a conclusion? Is that what members of the Opposition are really suggesting that we ought to do as a responsible Government in this State? Maybe they are!

Let me make one other point about their regurgitating the old insider trading issue. It has been investigated by the Australian Securities Commission—that body which is charged with investigating those kinds of practices. The ASC said that there is no impropriety and no evidence of any impropriety. What more do Opposition members want? Do they want Cheryl Kernot to conduct an investigation? Is that where they would place their faith?

I know that there is no insider trading. Do Opposition members know how I know that? For insider trading to occur, somebody must have prior knowledge, and nobody had prior knowledge. I repeat that nobody had prior knowledge. Before that decision was made by Cabinet, nobody knew who was going to win, so if anybody did buy up some shares before the event, they were time-honoured speculators. They have been around since the beginning of time, and I suspect that they will be around till the end of time. I know that there could not have been any insider trading.

Do members of the Opposition suggest that the Labor Party was involved in insider trading? ALP Holdings bought the shares years before and, as the member for Woodridge said, I would not have a clue what shares it has. There is no way that I would tell

that body any inside information. If it was buying shares, it would have been doing it for exactly the same reason. ALP Holdings picked Jupiters as a good bet. Jupiters was and is a good bet. Shares in Jupiters were good shares to buy. They have continued to return good profits and therefore good dividends. That is the reason, I presume, that ALP Holdings bought those shares. The trouble with members of the Opposition is that they attribute all of their own characteristics to other people who act honourably, dare I say.

The second point made by both speakers concerned the Treasurer being the final arbiter. I make the point again. It is amusing to me when the Opposition say we should have committees and councils and everybody else that makes the decisions and becomes the final arbiter. Let me say that we are a Government which was elected by the people; we are prepared to make decisions; and we are prepared to accept the consequences of those decisions. The Government is not going to walk away from that. The Government is not ashamed of that.

Secondly, there are many considerations in respect of a casino. There are more than heritage considerations. We do need to have a casino that is functional for a whole range of reasons, not the least of which is the need to ensure that it can operate with great probity, that the operations can be monitored and that they are clean and above board. For that reason, the Minister responsible for the operation of casinos must have the final say. That is why the legislation was drafted in that way. That is why, in the Opposition's day, all legislation in respect of the two pre-existing casinos was drafted in that way. It is funny how it was okay then but it is not okay now. Would it be fair to say that the Opposition changes its values when it goes from Government into Opposition?

Nevertheless, as the member for Mundingburra pointed out, just because the Treasurer is the final arbiter, one cannot make that great leap in faith that we are going to ride roughshod over heritage considerations because the Government will not. It never intended to, and it will not. As the member for Woodridge pointed out, the Treasurer may be the final arbiter in a range of ways, but my colleague—who is present in the Chamber now—also has the right to issue stop-work notices if there is any breach of the heritage standards that we have laid down conjointly. The suggestion or implication that the Government does not have a commitment to preserving the heritage values of those grand buildings is just plain wrong. I invite members

opposite, in two years' time, to come into that casino and see for themselves what has been done to those heritage values and make judgments then. I guarantee that no-one will stand up on the podium and criticise the Government for riding roughshod over heritage values.

We have had previous explanations about ministerial rezonings, but members opposite do not accept them. It was not a ministerial rezoning; it was a parliamentary zoning. Parliament approved that zoning for casino purposes. It was not a ministerial rezoning. Any resemblance between what Russ Hinze used to do and what happened in this respect is purely coincidental. Parliament created that zoning.

We will keep raising this forever, I suppose, but the Solicitor-General has clearly indicated that unless the Government makes a net contribution to a building, then the Public Works Committee does not have any right to investigate it.

Mr Slack interjected.

Mr De LACY: The Solicitor-General is the senior legal opinion in this State. That is the view of the Solicitor-General. Members of the Opposition may believe they have a superior view, but that is not the case. There is no net contribution from the Government. There is a net benefit back to the Government in respect of the casino of many hundreds of millions of dollars.

The reduction in the number of hotel rooms was a matter that was raised. If members opposite had a commitment to heritage, they would have been pleased about that. The reason that the number of rooms was reduced was to lessen the impact on the building itself. In other words, even if the Government makes decisions which would improve the heritage values, members opposite criticise that as well. Members opposite will say, "There they go again, making decisions that Parliament has not sanctioned."

I have said previously that we have a model of three founding partners, but it is only that—a model. The Government wrote into the legislation that they must use their best endeavours to meet the terms of that model. The Queensland Government is also commercially realistic and it knows that requiring them to sell off a large parcel of non-tradeable or restricted equity is not easy in the current economic climate, particularly when those people interested in casinos have plenty of other opportunities to pursue those interests because of new casinos being

mooted in Sydney, Melbourne and New Zealand. May I again make the point that in National Party days when the Breakwater Island Casino Agreement was signed, the members opposite did not have in place their founder positions. It is no different from what happened in National Party days in that respect.

In conclusion I say that the Opposition would have done themselves and this Parliament a service if they had not proceeded with this disallowance motion. It has done nothing for their credibility. The only possible outcome could have been that they would have won their disallowance motion. The Government would have been required to stop those works—something like \$400m worth of capital development—from proceeding in this City of Brisbane during pretty tough times and during periods of fairly high unemployment. If that is what members opposite were seeking to do, I guess they will be judged by the people of Queensland.

Question—That the motion be agreed to—put; and the House divided—

AYES, 31—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hobbs, Horan, Johnson, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Randell, Rowell, Santoro, Simpson, Slack, Stephan, Veivers, Watson *Tellers*: Springborg, Laming

NOES, 46—Ardill, Barton, Beattie, Bennett, Bird, Braddy, Bredhauer, Briskey, Budd, Burns, Casey, Clark, D'Arcy, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Gibbs, Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Milliner, Nunn, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Welford, Wells, Woodgate *Tellers*: Pitt, Livingstone

Resolved in the **negative**.

The House adjourned at 5.44 p.m.