TUESDAY, 30 NOVEMBER 1993

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

ASSENT TO BILLS

Assent to the following Bills reported by Mr Speaker—

Appropriation Bill (No. 2)

Building and Construction Industry (Portable Long Service Leave) Amendment Bill

Criminal Law Amendment Bill

Freedom of Information Amendment Bill

Gaming Machine Amendment Bill

Justice and Attorney-General Legislation (Miscellaneous Provisions) Bill

Lands Legislation Amendment Bill

Lang Park Trust Amendment Bill

Licensing Fees Legislation (Liquor and Tobacco Products) Amendment Bill

Limitation of Actions Amendment Bill

Liquor Amendment Bill (No. 2)

Transport Infrastructure (Railways) Amendment Bill

Transport Legislation Amendment Bill (No. 2).

PETITIONS

The Clerk announced the receipt of the following petitions—

Native Animals and Plants

From **Ms Robson** (1 612 signatories) praying that the Parliament of Queensland will actively maintain legal sanctuary and permanent preservation for all native animals and plants in Queensland national parks and revoke all sections of Acts which appear to allow hunting or gathering of native wildlife.

Crown Lease Rental Fees

From **Mr Johnson** (142 signatories) praying for action to be taken to alleviate financial hardship caused by the proposed increase in Crown lease rental fees implemented on 1 July 1993.

Abortion Law

From **Mrs Gamin** (99 signatories) praying that the Parliament of Queensland will not move to change legislation regarding abortion and will not allow abortion on demand.

Petitions received.

STATUTORY INSTRUMENTS

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

Anti-Discrimination Act—

Anti-Discrimination Tribunal Rule 1993, No. 430

Auctioneers and Agents Act—

Auctioneers and Agents Amendment Regulation (No. 2) 1993, No. 409

Canals Act—

Canals Amendment Regulation (No. 1) 1993, No. 416

Criminal Law Amendment Act—

Criminal Law Regulation 1993, No. 413

Education (General Provisions) Act—

Education (General Provisions) Amendment Regulation (No. 1) 1993, No. 411

Fauna Conservation Act—

Fauna Conservation Amendment Regulation (No. 3) 1993, No. 429

Gaming Machine Act—

Gaming Machine Amendment Regulation (No. 2) 1993, No. 418

Gaming Machine Amendment Act—

Proclamation – provisions of the Act that are not in force commence 1 December 1993, No 417

Gas Act—

Maleny Gas Reticulation (Grant of Franchise) Regulation 1993, No. 426

Health Act—

Poisons Amendment Regulation (No. 4) 1993, No. 415

Hen Quotas Act—

Hen Quotas Amendment Regulation (No. 2) 1993, No. 422

Industrial Relations Act—

Industrial Court Amendment Rules (No. 1) 1993, No. 431

Local Government Act—

Local Government (Electoral Matters) Regulation 1993, No. 425

Mineral Resources Act—

Mineral Resources Amendment Regulation (No. 13) 1993, No. 427

National Parks and Wildlife Act—

National Park 285 Counties of Burdekin and Davenport (Declaration) Order 1993, No. 428

Primary Producers' Organisation and Marketing Act—

Atherton Tableland Maize Marketing Board Poll Regulation 1993, No. 410

Primary Producers' (Levy on Cane Growers) Regulation 1993, No. 423

Queensland Building Services Authority Act—

Queensland Building Services Authority Amendment Regulation (No. 3) 1993, No. 412

Real Property Act—

Real Property Amendment Regulation (No. 1) 1993, No. 414

Superannuation (Government and Other Employees) Act—

Superannuation (Definition of Employee–Ports Corporation) Order 1993, No. 420

Superannuation (State Public Sector) Act—

Superannuation (State Public Sector) Amendment Regulation (No. 1) 1993, No. 419

Traffic Act—

Traffic Amendment Regulation (No. 5) 1993, No. 421

Water Resources Act—

Water Resources (Rates and Charges) Amendment Regulation (No. 1) 1993, No. 424.

PAPERS

The following papers were laid on the table—

(a) The Treasurer (Mr De Lacy) tabled the following paper—

Queensland Treasury Corporation Consolidated Accounts—Annual Report for 1992-93

(b) Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill) tabled the following paper—

Mackay Port Authority—Annual Report for 1992-93

(c) Minister for Housing, Local Government and Planning (Mr Mackenroth) tabled the following papers—

Parliamentary Travelsafe Committee—Report on Pedestrian and Cyclist Safety—Government response to recommendations 11, 12, 13, 14, 16, 25 and 29

Proposed Planning and Development Legislation for Queensland—Discussion paper

Local Government Commissioner—Reports relating to reviews of Internal (Electoral) Boundaries—

City Councils—

Bundaberg, Maryborough, Thuringowa, Townsville and Warwick

Shire Councils—

Allora, Biggenden, Burdekin, Dalrymple, Glengallan, Gooburrum, Hinchinbrook, Isis, Rosenthal, Stanthorpe, Woocoo and Woongarra

(d) Minister for Primary Industries (Mr Casey) tabled the following papers—

Dumaresq-Barwon Rivers Commission—Annual Report for 1992-93

Review of Farm Produce Commercial Seller Regulation and consideration of Horticultural Industry Advisory Structures—Discussion paper

(e) Minister for Justice and Attorney-General and Minister for the Arts (Mr Wells) tabled the following paper—

Queensland Performing Arts Trust—Annual Report for 1992-93.

MINISTERIAL STATEMENT

Queensland Economic Review

Hon. K. E. De LACY (Cairns— Treasurer) (10.05 a.m.), by leave: Today, Queensland Treasury will circulate to all honourable members the September Quarter 1993 edition of the *Queensland Economic Review*. Over 2 000 copies are now circulated within the State, interstate and overseas every quarter.

Well before this edition—the fifteenth—the *Queensland Economic Review* had firmly established its credentials as an informed, credible and independent overview of the Queensland economy. I take this opportunity to congratulate all those associated with its production. I encourage all honourable members to read it at their leisure, but I would like to draw attention to some encouraging developments in the Queensland economy which emerge from Queensland Treasury's own research and that of other independent analysts.

Treasury research reported in the QER shows that Queensland's share of total national investment spending reached 18.3 per cent in 1992-93, compared with 17.7 per cent a year earlier. Contrary to the doom and gloom peddled by the State Opposition, the State's share of national business investment was almost unchanged at 15.9 per cent, compared to 15.8 per cent last year and well

above the share when the National Party left office.

Significantly, Access Economics, in its latest *Investment Monitor*, makes the point that Queensland and Western Australia are the only States in which business investment is now higher in real terms than before the recession. Access Economics also points out that Queensland and Western Australia have the strongest investment prospects.

Treasury's research, reported in the *Queensland Economic Review,* also looks at non-dwelling investment, an area not covered by the Access survey. Treasury expects solid growth in non-dwelling investment in Queensland this financial year. This will result from several large tourism projects, an emerging investor demand for suburban retail shopping centres and Brisbane's relatively low CBD vacancy rates. These forecasts are echoed by research group BIS Shrapnel which says Queensland would experience the strongest growth of all the States in the value of non-dwelling commencements in 1993-94.

The Queensland economy is the strongest in Australia. Business investment prospects are very good. Jobs are being created—73 000 in the past two years. We are coping well in the provision of housing and infrastructure for the 1 000 interstate migrants arriving in Queensland every week. And, as the *Queensland Economic Review* again shows, the State Budget is in a very solid position.

I urge honourable members to read this publication for a full and frank statistical analysis of the Queensland economy.

MINISTERIAL STATEMENT

Ace Waste Disposal Facility, Willawong

Hon. M. J. ROBSON (Springwood—Minister for Environment and Heritage) (10.09 a.m.), by leave: I wish to inform the House that today I have announced the permanent closure of the two older incinerators operating at the Ace Waste disposal facility at Willawong. These incinerators will be shut permanently from 15 December.

Members may be aware that there have been concerns expressed by local residents about the operation of this hospital waste disposal facility. Despite the fact that I have been working for some time, as had my predecessor Pat Comben, on the closure of the two older incinerators and their replacement with a modern facility, there has recently been a very vocal group opposing the Ace Waste operation.

Only a couple of weeks ago, a coalition of conservation groups and local residents paraded school children carrying bags stuffed with plastic arms and legs in front of the Parliamentary Annexe as part of their protest. It is interesting that this group formed itself at the very end of a long period of negotiation between the company and the Department of Environment and Heritage—just before the matter was permanently resolved.

This closure announcement is the culmination of discussions with the company following the installation of a $3.5m, state-of-the-art incinerator which comes on line tomorrow. This new incinerator, which has been described as being able to "satisfy clean air requirements anywhere in Australia, if not the world", is the result of pressure from the Department of Environment and Heritage. Simply shutting Ace Waste down a couple of years ago would not have solved the problem of disposing of south-east Queensland's hospital waste because there was no acceptable alternative to incineration. My department's primary focus has been to see the older facilities replaced with modern technology as quickly as possible.

Now that we have achieved that objective, the department will ensure all environmental concerns are addressed through the application of the strictest licensing conditions ever applied in Queensland. An environmental inspector will be dedicated to monitoring the performance of Ace Waste; a time-lapse camera will be installed on the site to provide 24-hour monitoring of their environmental performance; and the department will have a computer link to the new incinerator's pollution monitoring equipment.

The closure of the older incinerators had been dependent on finding viable and acceptable backup measures for when the new facility was undergoing maintenance, or in cases of emergency. This will now be addressed through the use of refrigeration facilities to store waste in the event of a shut down. Refrigeration will be used, if and when required, in the short term until the company installs a smaller state-of-the-art incinerator, which will be a permanent backup to the main incinerator.

This is expected to be installed in nine to 12 months' time, and the smaller facility will be subject to the same strict licensing conditions which apply to the incinerator coming on line

tomorrow. In other words, the new Ace Waste incinerators will be the best in Australia.

PERSONAL EXPLANATION

Mr BEATTIE (Brisbane Central) (10.13 a.m.), by leave: On 25 November, the *Courier-Mail* reported, as part of a story on members' travel, that I had travelled to Adelaide and Perth in May 1993 on party business. This is totally incorrect.

I travelled to Adelaide and Perth as a member of a parliamentary party committee for Family Services and Aboriginal and Islander Affairs, studying a range of legislative issues involving children. I table a copy of a letter written to the Director of Corporate Services in relation to the details of this matter.

QUESTIONS UPON NOTICE

1. Titles Office

Mr ELLIOTT asked the Minister for Lands—

"(1) How many staff are employed in the Titles and Information area in each of the 34 regional offices of the Titles Office and in what capacity?

(2) Where a member of staff performs duties relating to more than one area of departmental responsibility, what proportion of that staff member's time is occupied in the various areas?

(3) What was the total number of requests lodged for access and copies of the documents for the period before the maps were taken to the regional offices and for the period after they were taken to the regions?

(4) What is and what is not included in the monetary amounts which he outlined in his answer to a question on notice of 18 November?

(5) What are the current running costs for the DOCFAX services provided throughout all Titles Offices in Queensland?"

Mr SMITH: I table the answer and I ask that it be incorporated in *Hansard* .

Leave granted.

Questions 1 & 2

It is inappropriate to address such detailed information on departmental activities by questions and answers. However, I refer to my answers to the questions on notice from the member for Clayfield on 18 November 1993.

The "titling and information" area of regional offices provides services under three departmental programs viz: Land Titles, Land Information and Land Boundaries.

Staff working in this area regularly perform duties from each of these programs. This is in keeping with the departmental multiskilling initiative which seeks to broaden the skills and responsibilities of staff enabling variations in workloads and priorities to be easily addressed. The proportion of a staff member's time working in each of the areas can vary substantially from one week to the next.

Question 3

I refer again to my answers to the questions on notice from the member for Clayfield on 18 November 1993.

Working maps are primarily maintained for departmental operations purposes and are subject to constant revision. As a result they are located in regional centres where the resources for maintenance are available and where the maps are used operationally.

The Department of Lands currently maintains only one set of working maps. Before the amalgamation of departments in 1989, working maps were separately maintained by the Departments of Freehold Land Titles, Valuer-General, Geographic Information and Lands with a limited level of access available through the regional centres of the Departments of Geographic Information and Freehold Land Titles. The regionalisation and amalgamation of all maps has provided efficiencies not previously possible and provides the added benefit of having all working map information available at the one centre.

As mentioned in my answer on November 18, free access is provided to working maps; however charges are made for copies. As a result, statistics are not kept on requests for access.

As also mentioned on November 18, it is estimated that between five and fifteen per cent of overall requests originate from outside a centre, with many of these requests originating from other departmental offices within the same region.

Question 4

In 1992-93 expenditure was categorised into discretionary ie. that over which the manager of projects had control, and non-discretionary, ie. that expenditure which was centrally controlled or tied to special funding allocations.

The figures quoted in my previous answer are discretionary expenditure and include expenses such as:

wages

overtime

meal allowances

travelling expenses

staff training and development

motor vehicle operating expenses

equipment purchase, lease, maintenance and repair

postage and telephone

printing

legal costs

advertising

The expenses excluded from the figures are non-discretionary and include:

salaries

superannuation

cash equivalent of long service leave

payroll tax

office rental and outgoings

automated titling system special funding

Question 5

Please refer to my previous answers to the questions on notice from the member for Clayfield on 18 November 1993.

2. Sunshine Coast Foster Care

Miss SIMPSON asked the Minister for Family Services and Aboriginal and Islander Affairs—

"In view of the number of highly distressed foster families on the Sunshine Coast who are considering leaving the foster care system, will she give an assurance that she will provide extra support staff for the foster care area in my electorate, so the children do not lose out."

Ms WARNER: I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

Staff of my Department are aware of the concerns expressed by foster parents on the Sunshine Coast recently in relation to the difficulties associated with caring for children and young people in the temporary custody or guardianship of the Director-General.

My Department is committed to supporting foster families undertaking the often difficult and demanding task of caring for children and young people. On the Sunshine Coast, Community Adolescent Placement Program has received funding from my Department. This non-government service recruits, selects, trains and supports foster parents in the local area who care for children or young persons. This extra support provided to foster parents by this service is I'm sure welcomed.

Sunshine Coast foster parents also meet regularly in a venue provided by my Department in Gympie, and local community offices in Maroochydore.

In addition, I recently launched the Foster Care Handbook during National Foster Care Week. This comprehensive handbook assists careproviders in accessing the range of services available to them and the children they care for.

Foster parents are a valuable resource and without their services, the protection of children from serious abuse and neglect may not be possible. My Department will continue to work in partnership with foster parents throughout the State in providing appropriate standards of care for children, young people and their families.

3. Anti-stalking Laws

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

"With reference to the anti-stalking laws which passed through the Parliament early on 19 November—

Does he have any indication that other States will follow Queensland's lead in this area of the law?"

Mr WELLS: I table the answer and seek leave to have it incorporated in *Hansard*.

Leave granted.

Stalking is another example where Queensland is exporting new, progressive and tough laws to the rest of Australia.

South Australia first followed our lead, however the State elections there have caused a cessation of the project.

The Northern Territory last week introduced and now appears to have passed an amendment to the Territory's Criminal Code to provide for an offence of stalking, which has a number of elements in common with the recent Act passed by this House on 19 November.

Both the Territory and South Australia have followed Queensland's lead by preparing the "two level" offence of stalking, whereby the first level carries a maximum sentence of 3 years imprisonment and the second level of aggravated stalking attracts a maximum of 5 years imprisonment.

Recently, the Australian Capital Territory and Victoria requested copies of our Bill. Thus it appears that these two jurisdictions will also utilise Queensland's pioneering work in developing their own stalking legislation.

For reasons which are not immediately clear, New South Wales has chosen to introduce an offence in the Crimes (Domestic Violence) Amendment Bill 1993. However, this provision

is limited because it is applicable only in current or former domestic relationships. Our research however, strongly indicates that many people who complain of stalking, allege the stalker is unknown to them and that no prior relationship existed between the stalker and the potential victim. As honourable members will recall, Queensland's legislation avoids that narrow definition, by ensuring that the law is of general application, not merely confined to former or existing domestic relationships.

At the last meeting of the Standing Committee of Attorneys-General there was a considerable amount of interest shown in Queensland's moves to introduce a stalking offence. As a result, copies of the Queensland Bill have been made available to Attorneys-General of all other Australian jurisdictions for their consideration.

4. North American Free Trade Agreement

Mr SZCZERBANIK asked the Minister for Primary Industries—

"What effect, if any, will America's decision to proceed with the North American Free Trade Agreement have on Queensland's primary industries?"

Mr CASEY: NAFTA, essentially, is a free trade arrangement, basically between Canada, the US and Mexico. In effect, it creates a trade bloc within that region. According to some reports, the implementation of NAFTA could have adverse impacts on Australia's rural sector in the areas of meat, $63m, and wool, $21.3m, in exports to Mexico. If this eventuates through reduced importation of these commodities, the impact will be felt in Queensland, given this State's dominance in meat. There may be a short-term impact on sugar exports, but the outlook, as a result of NAFTA's approval, is far more hopeful in the long term. Little or no impact on the grain industry is expected in the short term.

However, to the extent that NAFTA, in conjunction with APEC—and it is too early to put reliance on this—is used by the US to force a favourable outcome in the Uruguay round of GATT by 15 December, then Australia stands to benefit overall from any consequent subsidisation and tariff reductions, particularly in grains and sugar in acquiring increased global market share. NAFTA comes into effect from 1 January 1994.

QUESTIONS WITHOUT NOTICE

Corporatisation of Port Authorities

Mr BORBIDGE: In directing a question to the Minister for Transport, I refer to criticism of his Government's corporatisation program by port authority chief executives, in particular Townsville Chief Executive, Mr Richard Kenny, who said—

"It's got all of us worried, we're going to have to pay dividends and taxes. At the end of the day, I don't see how you can contain costs. That means increases in charges."

I ask: does the Minister endorse these concerns? Does he consider that the Government's revenue policy in relation to corporatisation will have disastrous consequences for Queensland ports?

Mr HAMILL: In response to the honourable member's question, I inform the House that, no, the corporatisation policy will not be detrimental to Queensland's ports. Indeed, Queensland's ports have been leading Australia in a capacity to improve their efficiency, to improve their performance and to win new trade.

Mr Borbidge: They're all wrong, though.

Mr HAMILL: I draw the honourable Leader of the Opposition's attention to the fact that, indeed, Queensland ports have been paying taxes to the Queensland Government for a very long time. The system of taxation that is in place with respect to Queensland's ports was put in place by the previous coalition Government.

Mr Borbidge interjected.

Mr SPEAKER: Order!

Mr HAMILL: It was called a port levy, which was linked to the tonnage handled in ports, and a payment was made to the State Government. That situation has remained in place. It is a form of taxation that has borne no relationship to the profitability, efficiency or productivity of a port.

This Government's corporatisation policy will bring the port authorities and other statutory authorities into line with the normal commercial practice in the business sector. Therefore, the payment of the dividend will be linked to profitability, not simply to a quantity of cargo that is being handled across the wharf, as it was in the days of the National Party Government.

Special Provision for Witnesses

Mr BORBIDGE: In directing a question to the Attorney-General, I refer to his comments made this morning that the legal system, including the courts, will have to find ways of making special provision, frequently, for

Aboriginal witnesses on the basis of alleged particular and special features relating to race. I ask: will he also be making special provision for what he terms "cultural sensitivity" for any Australian with a distinct ethnic background, or is there to be one law for all Australians?

Mr WELLS: I do not think I used the term "race" at all. It is a term that is favoured by the honourable Leader of the Opposition and one which he uses in the most nefarious way in this House to inflame prejudices that would not otherwise exist.

What I said on the radio program this morning was that a provision of the law of this State, which was introduced into this House in 1989—the special witness provision—is a provision which had been frequently and regularly used by the Director of Prosecutions Office. I had some information from him recently indicating that that was so and that that provision had frequently been used. The use of that provision is to assist a special witness. A special witness may be somebody who, by virtue of age, or by virtue of the state of trauma or shock that the person may be in, or by virtue of various difficulties with respect to communication, is not as well placed as other persons to sit in open court to give evidence.

Mr Borbidge: You said "cultural sensitivity".

Mr WELLS: Now, in those circumstances——

Mr W. K. Goss: Which Government introduced that provision?

Mr WELLS: I thank the honourable Premier for reminding me. This was one of the more enlightened provisions introduced by the former National Party Government. It was, of course, supported by the Labor Opposition, but it was one of the honourable members' most enlightened initiatives. The effect of that has been to enable evidence to be given in court by a large number of people who would not otherwise have been able to give evidence effectively in their trial. I think that it is probably a fair thing to say that the honourable member and his colleagues in the last National Party Government ought to be congratulated on this initiative, and it is a pity that he is now disowning it.

State Taxes

Mr PITT: In directing a question to the Premier, I refer him to the High Court decision on State taxes to be handed down next Tuesday. Has the Government begun working on options to deal with the outcomes of that case, which may be against the interests of Queensland? Can the Premier outline the Government's current thinking on this issue?

Mr W. K. GOSS: The High Court decision in the Capital Duplicators case is one which, if it goes against the States, will have profound implications for all States and, indeed, the two territories in terms of their Budgets, their revenue-raising capacities and their capacity to deliver services to the communities that they represent. I want to make it plain that the Queensland Government has had a senior legal team involved in the High Court proceedings opposing any change to the law and taking the position that all States, including Queensland, should be left alone to fix their own taxation arrangements in respect of taxes on products such as liquor, tobacco and fuel, which are the main ones that are vulnerable to an unfavourable decision by the High Court.

I say also that we have been aware that the decision could go against the States and that in bipartisan discussions with other States and in discussions with the Federal Government we have consistently taken a position that if, as a result of an adverse decision, uniform or increased levels of taxation were imposed on any of these products in Queensland, the Queensland Government would seek to return those tax increases to the public.

The decision will be handed down next week, on 7 December. We have had some preliminary consideration of the matter, but ultimately the final arrangements will be determined by discussions with the other States and with the Federal Government. I did note with some interest a public call by the Leader of the Opposition that if the High Court decision does go against the States, we should prepare an appeal. I do not know whether the Leader of the Opposition means an appeal to the Privy Council. Appeals to the Privy Council ceased 10 years ago. Perhaps he means an appeal to John Howard, who is the higher authority to whom he tends to appeal when a decision adverse to him has been made. The position is—and I thought we got this message through to the Leader of the Opposition in respect of the Mabo case, but we will try again with Capital Duplicators—that there is no right of appeal from decisions of the High Court in Australia. It is the highest court in the land.

In relation to our discussions with the Federal Government up to the present—the position is that Federal Cabinet considered this matter last week, and we will be having more detailed discussions with the Federal

Government and the other States in the next week or two. Essentially, the Commonwealth Government has taken the position that, if the case goes against the States, it will implement interim or temporary arrangements to increase Commonwealth Customs charges such as the excise on petrol, tobacco and alcohol. It will allow that interim arrangement to be in place until the end of February 1995. The increased revenue collected by the Commonwealth will be returned to the States. At this stage, we are assured that it will not be a case of the revenue that is being collected in one State being given to another State. It will be returned to the States in which the increased revenue is collected. The Commonwealth will distribute the pool of funds according to Commonwealth Grants Commission data. But the Commonwealth is saying that, after February 1995, it requires the States to reach agreement on uniform levels for business franchise fees in respect of these three products.

The Commonwealth Government has made it plain that if there is no agreement by the States in regard to uniform rates, the Commonwealth will increase its own taxes and charges on these commodities and simply pump all of the money so collected into the pool of financial assistance grants. The Commonwealth will then distribute the money on that basis. That would represent a significant and very serious loss of control over the States' own Budgets and revenue-raising capacities. It is going to be very difficult for the States to face up to this.

The Queensland Government is opposing any change. We believe that the decision of the High Court 33 years ago in the Dennis Hotels case is a principle which should be allowed to stand and that the States should be allowed to continue to levy these taxes. If the High Court decides to go against the decision of that court in regard to Dennis Hotels and to rule that these taxes and charges are excise and therefore invalid, then we will seek to enter into cooperative discussions with the other States—which will all be in the same position—and the Commonwealth. We will seek to reach agreement with the Commonwealth and the other States that any increase in taxes collected in Queensland can be returned to the community.

Mabo

Mr PITT: I ask the Premier to outline to the House the Government's plans for legislating in respect of the High Court's Mabo judgment.

Mr W. K. GOSS: I feel that I am obliged to advise all members of the House of the process that the Government intends to follow at this stage in relation to the implementation of the High Court decision following upon the introduction of legislation into the Federal Parliament. At this stage, the State Cabinet will consider draft legislation at a Cabinet meeting later tonight. If Cabinet is satisfied with that legislation, it will go to the parliamentary party tomorrow, in the normal course of events, and the legislation will then be introduced into this House on Thursday. As usual, the legislation will be allowed to lie on the table of the House for a week. I make the offer to the Opposition to provide one of the specialist lawyers from the Cabinet Office to brief the members of the Opposition or their leaders, if they wish, on the State legislation and the way in which it interacts with the Federal legislation.

We are seeking to adopt what is hopefully a fairly simple and broad structure in relation to Queensland legislation so that the position in Queensland can be easily understood by all members and all people who have an interest in this difficult, complex and important issue. Essentially, in the Queensland legislation we will not be seeking to just implement the High Court decision. The Queensland legislation will, most importantly, validate all Queenslanders' titles. It is absolutely essential that we deliver certainty to all Queenslanders and to the investment community. The special Queensland legislation will validate all titles. It will also, as a consequence, protect all Queenslanders and Queensland companies, whether they have a mining lease on the cape, a pastoral lease in central Queensland or a backyard in Brisbane. Whether it is a mining lease, whether it is a pastoral lease or whether it is a backyard, the title will be validated and the citizen or the company will be protected from liability for compensation. That is most important, and our legislation will do that.

Members need to be aware of the fact that we have to move. I think that the members of the public are sick and tired of the brawling and the point scoring in this debate. They want to see it tidied up, and we are going to tidy it up in Queensland. We are going to be the first State to move. At the moment, right round Australia, in departments such as the Department of Mines and the Department of Lands, the issue of titles—and, therefore, economic activity—is starting to be

delayed because State Governments and Territory Governments cannot issue titles or leases with a guarantee of validity of that title, and with a guarantee in relation to the issue of native title. We need to move beyond that in the interests of all citizens—both Aboriginal and non-Aboriginal—and in the interests of our economy in general. Legislation has been introduced in the Western Australian Parliament. That legislation will not last five minutes in the High Court.

Mr Littleproud: How do you know?

Mr W. K. GOSS: I am prepared to answer the interjection. That is my opinion, and it is also the advice that I have received from people who have been specialising in this area for a year. Even if the opinion that I have expressed is wrong, State Governments do not have the capacity to deliver legislation that will validate title in their jurisdictions with any certainty unless the Commonwealth Government says that it complies with Commonwealth legislation, in particular the Racial Discrimination Act. If honourable members think——

Mr Borbidge: You've accepted Keating's position—sold us out.

Mr W. K. GOSS: Sold us out? The leader of the "fruit salad" party went cap in hand to Johnny Howard and John Hewson, and they told him that the amalgamation was off. Of course, last week his deputy went down there cap in hand. She says that she was told that it was okay. Is it going to be on or off by December? Just watch this blank space. No wonder the party is going nowhere!

Mr Hobbs interjected.

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

Mr W. K. GOSS: The Leader of the Opposition hitched his leadership to amalgamation. Eighty-two per cent of conservative voters want it and he cannot deliver, because John Howard will not let him. He should not talk to me about selling out to Canberra.

Honourable members interjected.

Mr SPEAKER: I will wait for a while. It is your question time. Does the Leader of the Opposition want to talk to the Premier?

Mr Borbidge interjected.

Mr SPEAKER: Order! I warn the Leader of the Opposition.

Mr Gibbs interjected.

Mr Lingard interjected.

Mr SPEAKER: Order! I warn the Minister for Tourism, Sport and Racing and the member for Beaudesert under Standing Order 123A.

Sports Grants

Mrs SHELDON: I direct my first question to the Minister for Sport. In light of a grant of $200,000 by the Federal Sports Minister, Ros Kelly, to the Mount Gravatt Workers Club, I ask: has the Queensland Government approved any grants to the Mount Gravatt Workers Club or the Mount Gravatt Australian Rules Club for the development of a clubhouse?

Mr GIBBS: What a weekend it must have been for members of the Liberal Party! Obviously, they sat down and thought, "What is the issue of the week? Let us try the sporting grants. It will be a big winner." It certainly is a big winner for the Opposition side of Parliament. In short, there have been no grants—I repeat, no grants from my department to either of the sporting organisations that the member has mentioned. However, let me make the point that during recent financial years, on average, under this Government the conservative electorates throughout Queensland received $50,905 from this Government, and the Labor electorates received $45,083.

When I looked at those figures, I thought, "What better yardstick to use than the amount in sporting grants given in my own electorate." During the last financial year, my electorate has received $55,049. However, in comparison to that, I thought that I would look at the sporting grants that were given to some of the conservative seats. Mr Speaker, will you bear with me for a moment while I roll them off? The seat of Beaudesert received $63,000; the seat of Callide received $101,000; the electorate represented by the honourable the Leader of the Liberal Party received $69,000; the seat of Gregory, held by Mr Johnson, received $143,000; the seat of Gympie received $73,000; the seat of Lockyer received, $81,000; the seat of Maroochydore received $136,000; the seat of Mooloolah received $70,000; the seat of Nerang received $6,000; the seat of Nicklin received $79,000; the seat of Noosa received $85,000; the seat of Southport received $78,000; the seat of Surfers Paradise—represented by the Leader of the Opposition; he did not do too badly—received $36,000; the seat of Tablelands received $77,000; and the seat of Toowoomba South received $58,000.

The impartiality of this Government is there for all to see. However, let me tell members the disgraceful thing that has emerged out of this exercise. Upon looking through my department's records, I found that my department has not received one letter of representation from any of those members on behalf of their electorates asking for funding. Despite the abysmal representation by their members, those electorates have received that money.

Mrs SHELDON: I rise to a point of order. That is a classic misrepresentation by the Minister. Obviously, he binned my letters of representation.

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

Mr CONNOR: I rise to a point of order. I call on the Minister to table the document to which he was referring.

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

Mount Gravatt Workers Club; Mount Gravatt Australian Rules Football Club

Mrs SHELDON: In directing my next question to the Treasurer, I refer him to the Gaming Machine Amendment Act, which was passed by this House earlier this month, and which directly prohibits the involvement of outside influences and entrepreneurs in the development of sporting clubs for financial gain from poker machines. In the proposal for terms of agreement between the Mount Gravatt Workers Club Inc and Mount Gravatt Australian Rules Football Club, point 4 states—

> "For the whole period of operation of this agreement, the Mount Gravatt AF Club is not liable for any costs associated with the development, planning or construction of the proposed new club premises."

I ask the Treasurer: does this agreement not contravene the Gaming Machine Amendment Act?

Mr De LACY: Does it? Obviously, the member has looked at it; I have not.

Mrs Sheldon: It's about time you did.

Mr De LACY: If the member has information, she should provide it to me. Having listened to what the member has said, it seems to me that two clubs are making an arrangement. If those two clubs operate under that mutuality ethos of the club system, then I would not expect that it would be a case in which I or the Machine Gaming Commission should intervene.

The member took part in the Gaming Machine Amendment Bill debate. If she believes that the arrangement that, obviously, has been worked out between those two clubs contravenes the Act——

Mrs Sheldon: I asked you.

Mr De LACY: I do not know what is going on. The member should not ask me. If the member has information that she believes constitutes a contravention of a law that was passed by this House, I believe that she has a duty to make that information available. If she makes that information available to me, I will have it looked at.

I suggest that the member makes the information available to the Machine Gaming Commission, which is the appropriate body to look at the arrangement, instead of using it to try to score empty political points. I might say that, on face value, it seems to me that it does not contravene the legislation that was passed last week.

Jupiters Ltd

Mr LIVINGSTONE: In directing a question to the Treasurer, I refer him to allegations by the Deputy Leader of the Coalition in this House on 15 July about insider trading in the shares of Jupiters Ltd before the announcement of the preferred applicant for the Brisbane casino licence, and I ask: have those allegations been investigated and, if so, what has been the outcome of those investigations?

Mr De LACY: I think this question puts into context the question that the Leader of the Liberal Party just asked. There is never any concern for facts and never any concern for getting it right; just a concern for making allegations, making smears and hoping that somewhere, some time they will stick. Honourable members may remember that, in the *Gold Coast Bulletin* of 16 July this year, the Leader of the Liberal Party launched an attack on me, on Labor companies, on Jupiters casino—and on everybody else whom she could think of—in respect of so-called insider trading in Jupiters' shares. It was reported that—

> "Labor companies and Labor 'friends' had been involved in 'looting' the share market during the tendering process for the Brisbane casino . . .
>
> She raised the questions because of concern"—

whose concern; her concern—

> "about 'the insider share trading and alleged deals over the tendering process for the Brisbane casino.' "

She made those allegations in this House in total contravention of the facts and in ignorance of the fact that the Australian Securities Commission and the Australian Stock Exchange had looked into the allegations and found that there was no case to answer. Nevertheless, she got her cronies in Canberra to launch a Federal parliamentary joint committee on corporations and securities inquiry. What did it say? It said that there was nothing that it could pursue and that there were no questions to answer.

She spoke of all of the things that she thought were wrong. She defamed me and Mr Brusasco, the Chairman of Labor Holdings. She defamed Jupiters. When the media phoned her last week for a comment on the Federal inquiry, she made no comment. I think that puts into context the way she carries on. The way in which she asked her last question was an example. If she can cast innuendo——

Mrs SHELDON: I rise to a point of order. I ask the Treasurer to withdraw that statement. I find it offensive and untrue. No-one rang me up at all.

Mr SPEAKER: Order! I ask the Treasurer to withdraw.

Mr De LACY: Thank you, Mr Speaker. I accept that nobody asked her, but her office was rung and it would not comment. What she should do, if she had any honour——

Mrs Sheldon: Mr Speaker, I asked for a withdrawal.

Mr SPEAKER: Order! The Treasurer has accepted the point of order. I ask the Treasurer to say, "I withdraw."

Mr De LACY: I withdraw. She should apologise to all of those people whom she defamed and defamed absolutely.

Enterprise Agreement Legislation

Mr LIVINGSTONE: I refer the Minister for Employment, Training and Industrial Relations to the official announcement of Queensland's 100th enterprise agreement at the John Flynn Hospital and Medical Centre complex at the Gold Coast last week, and I ask: can the Minister inform the House of the benefits of Queensland's enterprise agreement legislation for the State's businesses and workers?

Mr FOLEY: I was indeed pleased to see the 100th enterprise bargaining agreement struck at the John Flynn Hospital and Medical Centre complex. I thought originally that that was a hospital dedicated to that great Queenslander and medical practitioner Dr John Flynn, the former member for Toowoomba North. But as it turned out, it is not in honour of Flynn of the Downs but Flynn of the Outback, both of whom had made great contributions to Queensland medical practice.

The benefits to Queensland industry are exemplified by this agreement. They include such matters as the comprehensive broad banding of the classification structure, flexibility in the hours of work, a flattening of penalty rates for shift and weekend work, and provision for employees who work Sundays and public holidays as part of their ordinary hours to accrue additional annual leave. I visited the site and spoke with workers and with management last week. I was impressed with the cooperative approach designed on the part of both parties to boost productivity, and to share in the benefits of that productivity.

There have been 102 enterprise bargaining award agreements ratified by the Queensland Industrial Relations Commission, covering over 44 000 Queensland employees. Most of those agreements—some 81—have been made under the certified agreements legislation that I introduced into this House, the rest being made under the award making and industrial agreement provisions.

This benefit to which the honourable member referred is spreading widely throughout Queensland industry—into rural industry, construction industries, community services, electricity, gas and water, manufacturing, mining, recreation, transport and storage, and wholesale and retail trade industries. All of those groups have enterprise bargaining agreements. In short, this is an example of the Labor Government's approach to industrial relations to encourage flexibility, boost productivity and to safeguard the interests of workers.

Director-General of Department of Primary Industries

Mr LINGARD: My first question is to the Minister for Primary Industries. I refer him to the majority finding of the Public Accounts Committee that the director-general of his department did not fulfil his duties under the Financial Administration and Audit Act. As this failure is a direct breach of section 12 (1) of

the Public Service Management and Employment Act and as, presumably, he has now had an opportunity to discuss this matter with Mr Miller following his return from overseas, I ask: what action does he intend to take concerning this breach and will this include the sacking of his director-general?

Mr CASEY: It is true that, for the last few weeks, Mr Miller has been away overseas representing the States of Australia at a very important conference of the Food and Agriculture Organisation in Rome. It was not until yesterday, in fulfilment of the commitment that the Premier and I discussed some two or three weeks ago, that I had a discussion with Mr Miller. He is considering the matters that we discussed and we will be talking further about this subject later in the week.

Australian Friesian Sahiwal Project

Mr LINGARD: In directing a second question to the Minister for Primary Industries, I refer him to the proposed sale of the AFS project and associated genetic material, details of which will soon be submitted to Cabinet, and I ask: will he outline to the Parliament what process he, as Minister, has put in place to ensure that his departmental officers and personnel in charge of the Wacol artificial breeding centre have not been involved in improper procedures involving the supply of information for that tender?

Mr CASEY: Nothing has been held back at all in relation to the matters that were made available to all those people who are interested in tendering for some part, or the whole, of the AFS cattle divestment program for which public tenders were called. They were called on the same basis as is the case for all public tenders called by the Queensland Government. Those procedures have been followed. The negotiations have been finalised since the tenders were received, and the matter will be going before Cabinet shortly. The procedures have been followed.

Drink-driving

Mr BEATTIE: I ask the Minister for Transport: in response to the recent article in the *Courier-Mail* in which a Gold Coast magistrate likened drink-driving in Queensland to a national pastime, can the Minister for Transport please outline to the Parliament what the State Government is doing to reduce drink-driving on Queensland roads?

Mr HAMILL: I thank the member for drawing my attention to the article in question. The magistrate, Mr Marshall Davies, of the Southport Magistrates Court, suggested that random breath tests and drink-driving penalties were not a deterrent to many motorists. I can agree with the magistrate only up to a certain point. There continue to be some motorists who have scant regard for their welfare and the welfare of other road users by taking to the road with unacceptable and illegal levels of blood alcohol. I also draw the attention of the House to some important statistics compiled by the Road Safety Division which indicate that, contrary to the claims made by some other people in that article, the important road safety message regarding drink-driving is being heard by the majority of motorists in the community.

I point out that the introduction of random breath testing and a heavy concentration on anti-drink-driving advertising is getting through to the motoring public. In fact, this year's road accident data reveals that, in 1993 to date, there has been a 6 per cent reduction in the number of road fatalities involving alcohol compared with the trend for the previous four years. That also extends in more dramatic terms to a significant reduction of 14 per cent in other road trauma which has involved hospitalisation and in which alcohol has been a factor. Again, that figure is 14 per cent below the four-year trend previously prevailing.

The festive season is a time when all motorists should take to heart the anti-drink-driving message. To date, the road toll for this year stands at 20 fewer than the road toll for the same period last year. It is my fervent wish that we will complete 1993 with an improvement on the road toll for 1991, which was a 30-year low. I trust that those people who intend to enjoy a bit of liquid refreshment during the festive season make sure that they leave their car keys at home.

Standard Gauge Rail Link Project

Mr BEATTIE: I ask the Minister for Transport: could he please inform the House as to the outcome of a recent judicial review of the Government's decision to commence construction of the standard gauge rail link project?

Mr HAMILL: The standard gauge rail link to the port of Brisbane is one of the most exciting infrastructure projects that this Government has put in place. Indeed, it fits in well with the port's strategic plan, which was issued yesterday after the Cabinet meeting. Interestingly enough, some people have tried to stand in the way of that important infrastructure proceeding. Indeed, an

application was made in the Supreme Court by 12 applicants, who were largely members of the South East Brisbane Progress Association and the Freight Rail Action Group, which was formerly known as FEAR. Fear was their stock in trade, because that group sought to cause a lot of concern among residents by suggesting negative impacts that the standard gauge rail link would have along that rail corridor, which has existed in the eastern suburbs of Brisbane for over 100 years.

Those members who are vitally interested in the economic growth of south-east Queensland and the creation of jobs will be pleased to note that, when that application went before the Supreme Court of Queensland, Mr Justice Derrington threw it out, indicating quite clearly that the applicants did not have a case on any of the grounds on which they sought a review of that decision. Those people who will gain employment through that important infrastructure project—on which $84.5m is being spent over the next 18 months—will be thankful to Mr Justice Derrington for his decision. Likewise, those people who will gain employment in the port of Brisbane and in ancillary industries will be thankful to Mr Justice Derrington for throwing out the application. The Queensland Government is also pleased, because this project will see a very important addition to infrastructure in south-east Queensland come to fruition.

Bowen Basin Coal Exploration Permits

Mr DAVIES: I direct a question to the Minister for Minerals and Energy. I have seen a number of references in the media recently to exploration permits for coal areas in the Bowen Basin coming up for tender. I ask: can the Minister inform the House of the situation relating to those areas and whether there has been any initial interest in the venture?

Mr McGRADY: I thank the honourable member for the question. The media reports to which he refers concerns the RA 55 coal exploration area, which this Government opened for exploration and evaluation. The area was locked up by the previous Government back in the 1970s. That action prevented coal companies from making applications for exploration permits. The old system was highly restrictive and had reduced overall exploration in that area of the State. It amounted to the Government dictating the timing and the targets of exploration effort, rather than allowing companies to make their own decisions based on commercial considerations. The Goss Government has removed the restrictions imposed by the National Party Government. That will minimise constraints on exploration in the basin and allow exploration firms to make their own commercial decisions.

The removal of the restrictions was a landmark for the Queensland coal industry, which has eliminated the heavy-handed intervention that characterised the previous Government's handling of the Bowen Basin coal area. As part of a move to boost Queensland's coal industry, the Department of Minerals and Energy prepared detailed technical information packages relating to 12 highly prospective coal-bearing areas. Those information packages have been sold to 35 companies right around the world. The response has been nearly double that which I originally anticipated it would be. Potential investors who wish to gain exploration rights to the various areas can submit tenders in a modified cash bidding system, starting tomorrow. Those tenders will be opened on 4 January next year.

As an extra incentive for companies to participate in the bidding, the Government has successfully negotiated with the Commonwealth Government to allow tax deductibility of cash bids for onshore mining projects. There has been a very strong interest in this concept. It is a landmark for the Queensland coal industry. We expect to see from it an increase in the level of carefully targeted, commercially justified exploration. This will ensure that, when companies make investment decisions, they will do so with the benefit of full and relevant information. Needless to say, I am expecting some healthy participation during the bidding process. I believe that this exercise will lead to further major development in the Bowen Basin and will greatly boost Queensland's business export industry.

Import Replacement Measures

Mr DAVIES: I ask the Minister for Business, Industry and Regional Development: can he outline steps that the Queensland Government has taken to improve its economic performance through import replacement?

Mr ELDER: I thank the member for the question. He raises an important element of economic development, that is, import replacement. We are certainly focused on improving our export performance in this State, and have done so over the last four

years. Import replacement is another area that can create job opportunities and wealth for the State—in other words, by pouring that activity back into the manufacturing sector of this State. Under this Government, exports of manufactured goods have increased substantially from $3.2 billion to $5.2 billion in the period that we have been in Government.

Import replacement can add to the weight of improving job opportunities. The Industrial Supplies Office is the vehicle by which we attack that import replacement activity. The charter of the Industrial Supplies Office is to look at what can be done to enhance local manufacturing by linking like manufacturers to ensure a broader Australian and Queensland content—in other words, remove the imports from the system.

This year, the work of that organisation has been dramatic. Some $28m worth of imports, particularly in the manufacturing sector, have been converted into manufacturing opportunities for local firms. If one extrapolates that and looks at it in terms of job opportunities, it amounts to approximately 850 extra jobs for the Queensland economy from import replacement activity. Members opposite should have some interest in this topic. They say very little about this area of activity, but they should show interest in how it helps generate jobs and opportunities for the Queensland economy.

In Rocklea—and the member for Archerfield would know of this company—the Australian Gymnasium Group used to import weights from China. It no longer does so. The work of the Industrial Supplies Office has assisted that company to access steel from BHP, and it now makes the weights in this country and exports them to China. That is a good example of how the policy works. In the electorate of the member for Fitzroy, the Rockhampton City Council once imported rollers from Europe at a cost of $50,000. They are now manufactured locally.

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

MATTERS OF PUBLIC INTEREST

Employment Record under Goss Government

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (11 a.m.): Again, we have seen another disgraceful attempt by the Government to prevent itself from being questioned. Another Minister was filibustering——

Mr SPEAKER: Order! The honourable member will resume his seat.

Mr SANTORO: It is part of the Matters of Public Interest debate.

Mr SPEAKER: Order! I am on my feet. That is a reflection on the Chair. I ask the honourable member to withdraw that.

Mr SANTORO: Mr Speaker, in deference to——

Mr SPEAKER: Order! The honourable member will resume his seat. It is his 10 minutes that we are using up. I ask the honourable member to withdraw that comment because it is a reflection on the Chair. I run question time in this Chamber, and I run it in accordance with the Standing Orders. I ask the member to withdraw that comment unequivocally.

Mr SANTORO: In deference to the Chair, I withdraw unequivocally. However, it was not a reflection on the Chair; it was a reflection on the answer by the Minister.

Mr SPEAKER: Order! I ask the honourable member to withdraw without qualification.

Mr SANTORO: I withdraw without qualification.

On 17 November, the Treasurer told the Parliament in a boastful fashion of his Government's record in the area of job creation. The Treasurer said—

> "The fact is that there are 68,200 more Queenslanders working today than were working on 2 December 1989."

He then said—

> "There have been 68,000 new jobs created since the Goss Government came to power."

Obviously, the Treasurer seeks to portray his Government's record in the area of job creation in the most favourable light. However, in attempting to do so, he and his Government should not seek to hide some of the very unpalatable facts about employment creation and unemployment generation in this State.

The figures quoted by the Treasurer on 17 November were correct. On the surface, they can be portrayed as a respectable performance. However, let me compare those figures with the figures for the three years leading up to Labor's attaining power in Queensland. In that period, the former

conservative Government created 189 800 new jobs in this State—almost three times that created by the Labor Party since 1989. What is more, it created permanent, full-time jobs—128 000 of them—or more than two in every three jobs created. That compares with only 20 600 new full-time jobs—less than one in three—in almost four years of the Labor Government. That shows that the so-called employment machine of Queensland, which the Government would like us to believe exists, is largely illusory.

Labor has presided over a "golden arches" economic revolution, one based upon the growth in part-time, temporary employment at the expense of permanent jobs. No more than one-third of those jobs are full-time jobs. As I have said before in this place, that means that thousands of the so-called jobs being created by the Queensland Goss Labor Government are part-time jobs. The creation of those jobs, although obviously helpful to those who obtain them, does not solve the problem of endemic unemployment under Labor. All that it does is obscure the real problem, that is, the structural weakness in job creation for those searching for full-time work.

Those facts may not be all that palatable to the Government, but the more one looks at them, the worse it gets. To be counted as "employed" by the Australian Bureau of Statistics—the figures that the Government likes to quote—one only has to have worked for one or more hours for pay, profit, commission or payment in kind in a job or business or on a farm, or for one hour or more without pay in a family business or on a farm. To take it to the extreme, under those definitions almost two-thirds of the jobs created under this Government may have been generated by persons who have worked for only one hour in a week in an unpaid job. That is, of course, highly unlikely. However, if those jobs are mostly only part-time, it demonstrates just how fragile employment growth is and how foolish it is to thump one's chest and boast about job creation.

To understand better the real state of Queensland's unemployment position, it is worth while to look also at the way in which alternative measures of unemployment in this State have performed under the Goss Labor Government. We constantly hear about the Government's job creation policies and the number of new jobs created. We even hear occasionally about a small increase or, less frequently, of a small decrease in the number of unemployed in Queensland. Those comments are based on ABS statistics, which we all know are based on a sample of Queensland householders and are therefore subject to sampling error, non-sampling error and statistical error.

An alternative measure of unemployment that is not subject to those errors is the number of people receiving unemployment benefits in Queensland from the Department of Social Security. That is also not good news for the Goss Government. When the Goss Government came to power in 1989, the number of people receiving unemployment benefits in Queensland totalled 74 000. By the end of May 1991—the bottom of the recession, as identified by the Treasurer—that had risen to 119 800. Since the bottom of the recession, a further 36 500 unemployed have been added to the Department of Social Security unemployment list. The latest figures show that more than 156 500 Queenslanders receive unemployment benefits in this State. That means that, under four years of Goss Labor Government, the dole queues in Queensland have more than doubled.

Since the Goss Government was re-elected in September 1992 and after the recession was supposed to have "bottomed", the number of people receiving unemployment benefits in Queensland has been increasing by almost 1 000 a month. The statistics quoted tell the story only of those who were caught in the various statistical nets that are cast by the various authorities. As Wallace Brown said recently in the *Courier-Mail*—

> "When Australia's 'hidden' unemployment and 'under-employment' are also taken into account—meaning those people who have given up looking for jobs and those who can only get part-time work when they want full-time work—the picture is much worse. The total is about 20 percent."

Mr Brown then stated that the opinion and estimate by an unnamed public servant—

> ". . . coincides with an estimate by the Canberra-based consultants Access Economics . . . which has been closer to the mark in its forecasts than the Government over the past 12 months.
>
> Access Economics puts the rate of this wider definition of unemployment at 20.1 percent."

That is a truer picture of the legacy of despair which is inflicted on the Australian community by the dead hand of Labor.

However, the story gets worse. If one looks at the issue of teenage unemployment, one sees that the performance of this State Government is also very much under

question. The latest teenage unemployment statistics show clearly that the raw teenage unemployment rate is 31.1 per cent, but if one looks at the teenage unemployment to population ratio, one finds a rate of 14 per cent, which is the second highest in Australia, with only Tasmania being higher at 14.5 per cent. The tragedy of unemployment is getting worse as many of the unemployed become long-term unemployed with all of the adverse side effects that that entails, including the loss of self-esteem and self-confidence, the loss of skills and stigmatisation.

What is more worrying about long-term unemployment is that it is now spawning second-generation unemployment. According to the *Courier-Mail*, the annual report of the Brotherhood of St Laurence that was released a few days ago tells the following sorry tale—

> "One in four Australian children are being raised in a family where both parents are unemployed.
>
> Their parents' plight is affecting the children's chance of finding work.
>
> The brotherhood's social policy research director, Alison McClelland, said the number of children whose parents were out of work had risen substantially in the past 10 years.
>
> One million Australian children—about 25 percent—are now growing up in families where neither parent is working."

So what is the Labor Party's solution? The knee-jerk reaction by the Labor Party is to devise a multitude of work schemes, training schemes and other schemes that artificially lower the unemployment levels and rates, but only very temporarily. As Professor Judith Sloan, the Director of the National Institute of Labour Studies at Flinders University, concluded recently in the 1993 Bert Kelly lecture series—

> "Clearly, however, there are legitimate concerns for the unemployed in the short term, and any measures which can assist them should be seriously canvassed. Unfortunately, it is difficult to be particularly optimistic about the potential efficacy of employment policies in terms of reducing unemployment overall, or long-term unemployment, in particular. And given the large sums of taxpayers' monies spent on employment policies, it is important to bear this conclusion in mind—they don't work—in the sense that they don't reduce unemployment overall."

It is very disappointing that, over the past few days, the ACTU has been calling for more of the same. For example, the ACTU called for a $3 billion levy on taxpayers and the private sector when, clearly, the types of schemes that the ACTU wants to fund through that $3 billion levy do not work. The ACTU suggested that the levy could apply to workers earning under $36,000 but fended off assertions that it was a blueprint for a new income tax. Highly likely! The Wayne Swan solution is "for the Government to adopt more expansionary and interventionist policies". In the job creation sector, nowhere is there talk of tax reduction, cut-backs in bureaucracies and other real relief for small businesses.

The position of the Opposition has always been clear. Government spending must be reduced. The real tax burden must be reduced. To that extent, we compliment the Premier for his recently announced intention to reduce payroll tax on that part of payroll that comprises young people's salaries and wages. That is a good initiative, which has been advocated by the opposition parties for the last three elections. If the Premier proceeds along that line—which we encourage him to follow to a far greater extent—the Opposition will support him.

Time expired.

Drought

Mr PALASZCZUK (Inala) (11.10 a.m.): In the parched areas of central and south western Queensland, many towns are now enduring their third year of the worst drought since white settlement. Some 50 per cent of the State, including around 16 000 properties, are now drought declared. That old Australian credo, "Australia rides on the sheep's back" has now become a tragic eulogy.

Those areas of Queensland have become rivers of blood as millions of sheep have been shot by debt-ridden farmers who can no longer afford to feed them. From the air, huge areas of outback Queensland resemble a war zone, where flattened mulga lays stripped by hungry stock and the gnarled and twisted trees are interspersed with the remains of the stock in a vast ecological charnel house. It covers areas that will never regenerate; areas that are simply deserts in the waiting.

Some members will say that the farmers have sown the wind by overstocking and land degradation and are now reaping the whirlwind of drought and stock destruction. In some cases, this is quite true. However, the

problems caused by this drought are of such magnitude that its effects impact upon the entire population of Queensland, directly in the case of farmers in the rural communities, or indirectly for residents of the cities and coastal regions. It is about time that we forget about blame.

In Australia, we tend to romanticise life in the bush due to the poetry of Henry Lawson and Patterson and the ballads of Slim Dusty. The bush has become the wellspring of the Australian identity. As a result, life in the bush receives more media attention than life in the city, even to the extent that city people and, of course, people in the media, tend to romanticise the drought.

Over the years, Queensland has been subjected to many droughts. Usually, the people of the bush can survive a straight drought—the support systems within the communities have managed to hold everything together—but this drought is different. In 1993, the rural communities were already down. The support systems were weakened and under stress when the drought hit. The world recession had lowered commodity prices, and the wool industry had collapsed.

Mr Elliott: Interest rates.

Mr PALASZCZUK: I include interest rates as well. Should the drought eventually break, there is no guarantee that some of these rural communities will return to their previous condition. Thirty per cent of all wool growers and around 20 per cent of wheat farmers—mostly on smaller properties in the south west—will have to leave the land. Around Charleville, the average farm debt is around $500,000. Land which sold for $18,000 an acre back in 1989 now sells for $2 an acre, if a buyer can be found. In 1987, a sheep was worth $45 and a bale of wool brought $1,170. Now a sheep is worthless and a bale of wool brings between $300 and $400. The average age of graziers now is approximately 58 years. Families of graziers do not want to follow in their parents' footsteps and continue on the land. Under these conditions, who could really blame the sons and daughters for walking off the land?

However, I believe that as we come out of this drought—and rainfall over different areas of Queensland over the past two weeks has been encouraging—our young country people will again take up the challenge, as their parents have, to return our vast outback country to its former pioneering glory.

Another issue of considerable interest to country people and, of course, to members of Parliament, is the demise of the small country towns. Many people believe that this is as a direct result of Government policies. That is possibly so, yet the drift away from the smaller towns to the larger centres has been going on for the past 76 years.

Mr Johnson: The last 25 years—a 36 per cent drop.

Mr PALASZCZUK: I will take that interjection from the honourable member, because for 21 years of the past 25 years Queensland was ruled by a National Party Government.

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! The honourable member should not interject from other than his correct seat.

Mr PALASZCZUK: Even the most rabid anti-Labor member opposite cannot say that the Labor Party has been in power for the past 76 years. By his interjection the honourable member has added credence to what I just said.

Basically, the problem is that with improved roads, improved communication, improved transport and farm mechanisation, the drift to the larger country centres has kept pace with improvements in technology.

Graziers who need new parts and equipment for their machinery naturally will go to the larger country centres where better facilities are provided. That is quite logical. Townspeople also gravitate towards the larger centres for grocery shopping and for other purchases. This drift to larger centres by residents of smaller towns for shopping and related activities has led to the closure of shops and businesses in the smaller towns. These closures have led to an increase in unemployment in the smaller country towns, exacerbating an already serious position.

Unfortunately, wool growers indirectly are contributing to the demise of some of the smaller towns. Wool growers who continue the practice of hiring New Zealand shearers at the expense of local shearers compound the negative effect on local businesses. With approximately 50 per cent of shearers who are employed coming from New Zealand, the wool growers are adding to the drift of people away from the small country towns. I do not say this lightly. The short-sighted and hypocritical policy on the part of the wool growers has already and will continue to rebound on them.

Wool growers cannot expect to import cheap labour from New Zealand to shear the sheep and then attempt to sell the wool to the Australian community without those same consumers kicking up a fuss. Country people

continually tell the people in the city to buy Australian-made products. I agree with that. However, the double standards here are that the wool growers are hiring shearers from overseas to do the work of Australians.

As it now stands, the Kiwi shearers come to Australia for the season and they either export their income to their own country or they spend it on the Gold Coast. Businesses in the regions where the wool is grown receive nothing from these imported shearers. If wool growers employed local shearers, they would find those wages would be spent within their own communities to the benefit of those communities.

Mr Littleproud: What about the New Zealanders?

Mr PALASZCZUK: The New Zealanders either go down the Gold Coast to spend the money and live it up or go back to New Zealand and spend their money.

On my many journeys throughout rural Queensland, I encountered country people who still have not yet come to grips with the fact that a Labor Government is in power. On the part of some primary producers there is a belief that they do not matter to the Government, that they are the forgotten people. Nothing could be further from the truth.

Mr Johnson: You're in power. Tell your Federal colleagues to do something about it.

Mr PALASZCZUK: I acknowledge that at times there have been problems in the relationship between George Street and the bush.

Mr Budd interjected.

Mr PALASZCZUK: I was about to call "Order!" but I will not. Not all of those perceived problems were the result of Government actions. Some stem from the fact that, unlike the old days under the National Party when farmers had first call on the attention of Government, nowadays farmers are treated with the same care and attention as all other sections of the community. Despite the mirth from the Opposition benches, I point out that equality can be unnerving when it is first encountered.

With that in mind, I would like to touch lightly on some of the measures initiated by this Government to address the problems of this drought and those of future droughts. In February 1991, this Government initiated the implementation of a 10-year self-reliance program aimed at eliminating the need for existing State Government freight subsidy arrangements that applied during drought. This policy followed extensive industry consultation over a two-year period and is an ongoing process. For this, the Minister for Primary Industries needs to be congratulated. This comprehensive policy formed the blueprint of the national drought policy and is aimed at making producers less vulnerable to the uncertainty of the environment by encouraging them to incorporate drought management into their normal property management procedures.

This financial year has seen record claims for assistance. The State Government has provided $8.5m for freight subsidy assistance in the first four months of this financial year. The allocation in the State Budget has increased from $5m to $12m. A number of other measures have been introduced, too many for me to enumerate now.

I will alert honourable members on both sides of the House to the wonderful publication titled the *Drought Bulletin*, produced by the Department of Primary Industries. I urge all honourable members to take the time to read it to learn exactly what the State Government and its Department of Primary Industries are doing to try to alleviate some of the problems that people in the drought-affected areas are experiencing. I table that document.

Time expired.

Former Police Superintendent Huey

Mr GRICE (Broadwater) (11.20 a.m.): The people of Queensland need to be able to have faith in the criminal justice system as administered by their elected Government. I have recently been given material showing that they cannot have that faith.

I have previously raised the activities of former police Superintendent John Huey, a key figure in the Fitzgerald inquiry and in the so-called reform process. He was a key figure in creating the atmosphere and the headlines which led to the election of the Goss Labor Government. Huey had been well known among criminal lawyers as a liar and a fabricator of evidence—a verballer—but his future under the new Goss Labor Government was assured. He was to have an even more powerful position until the intervention of two detectives, Gordon Harris and John Reynolds. Labor's paranoia to protect Huey meant that both were hounded out of the Police Service but, along the way, an opinion was prepared by the Director of Prosecutions—the Miller opinion—which has had a fairly wide circulation. It was the undoing of John Huey. It

has never been released publicly because of the investment the Goss Labor Government has in the past activities of Huey. But it is slowly dribbling out.

I believe that the Government should release the full text of the Miller opinion. It would be highly embarrassing to the Labor Party, but it would provide a start to restoring public confidence in the criminal justice system. That system is seriously compromised because it is built partly on Huey's lies and because of the succour which it continues to provide him. Some members of the House will recall that Detective Harris was put on trial in relation to Huey's official diaries. Harris was found guilty by Magistrate Gribbin on one of seven charges, but he was discharged absolutely. The magistrate would not record a conviction because he was convinced that the charge was of a trivial nature. In common with the Director of Prosecutions, Mr Gribbin found that Harris had acted with honesty, integrity and without malice. The Crown was not satisfied and appealed against the findings, in addition to making an application for costs—presumably to put more pressure on Harris.

The Court of Appeal refused to upset the findings of Magistrate Gribbin. In the end, the Government failed in its objective of using the case to discredit and financially ruin Harris. However, the case provided clear and compelling evidence that very senior people in the Goss Government knew that John William Huey was a liar and a perjurer—in short, a fabricator of evidence.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! The House will come to order.

Mr GRICE: That is the obvious conclusion from evidence that the former Police Minister, Mr Mackenroth, was prepared to give in the case.

Mr T. B. Sullivan interjected.

Mr DEPUTY SPEAKER: Order! The member for Chermside!

Mr GRICE: I now put it on the record that the former Police Minister appears to have been the only member of the Goss Government who attempted to act honourably and honestly with respect to the Huey matter. Before the Harris trial started, Mr Bob Greenwood, QC, spoke with Mr Mackenroth with a view to Mr Mackenroth giving evidence in the case. Mr Mackenroth agreed to attend the court if he was subpoenaed, and he outlined the evidence that he would give.

Mrs Edmond: Read the report.

Mr GRICE: Wait for it! Mr Mackenroth was subpoenaed, and he did attend the court. After the magistrate ruled in favour of the Crown claim that his evidence was not relevant to the matters before the court, he did not go into the witness box.

It is interesting to note that the prosecution for the Crown was put in the hands of Mr Russell Hanson, QC—Huey's barrister at the committal hearing in 1983 when Huey was charged with conspiracy to pervert the course of justice. As a reasonable man, I find it totally inappropriate that the Crown should have made that arrangement. The prosecution was clearly in retaliation for Harris' investigation of Mr Hanson's client, Huey. I believe that Mr Hanson faced great difficulty in the transition from the defender of Huey to that of disinterested presenter of a Crown case against Harris. In the event, Mr Hanson was able to convince the magistrate not to hear Mr Mackenroth or Mr Justice Spender of the Federal Court, who had previously prosecuted Huey. But the magistrate did hear what Mr Mackenroth had planned to tell the court.

Mr Greenwood told the court that the former Police Minister would say that in about August 1990, a proposal was brought to his attention by the Commissioner for Police to promote John William Huey to head the professional conduct section of the Queensland Police Service. Mr Greenwood said that Mr Mackenroth would say that he was opposed to that appointment. What Mr Greenwood next told the court is most important, and I quote from pages 398 and 399 of the transcript of the hearing, which I table—

> "He'll give evidence that at about late August, September 1990, a report or document under the hand of Mr. Miller, Director of Prosecutions addressed to the Attorney-General came to his notice and I will ask him to view Exhibit 26 and Annexure 38 in Exhibit 2. He'll give evidence that to the best of his recollection, it was the whole of that document which at the time came to his notice. He'll further give evidence that, on the basis of matters contained in that report other than those which are exhibited before you, he instructed the then acting Commissioner for Police to present an option to Huey to resign from the Queensland Police Service on the basis of a judgement that he made on the basis of what appears in the rest of that opinion."

The direction was complied with, and Huey resigned from the Police Service, taking with him his superannuation entitlements. In judging Mr Mackenroth's reaction to the Miller opinion, we should remember that on 18 October 1989 he had spoken strongly in favour of Huey in this House. It must have taken strong words in the Miller opinion to cause Mr Mackenroth to revise his opinion.

At the weekend, I was given part of what my informant claimed was the Miller opinion. It came from a source with whom I had never previously dealt or associated. That this material should come to me shows the depth of the feeling in the community. The material contained the following paragraph——

Government members interjected.

Mr GRICE: Government members do not want to hear this, but it will be recorded in *Hansard* and they will have to read it. The paragraph stated—

> "Notwithstanding this advice, that it is not proper to bring charges against Huey, the fact remains Huey is not a person to be trusted. Judge Pratt in 1983 said, and I think rightly, that there is little of Huey's evidence that can be believed."

If that paragraph is indeed part of the opinion, then the whole thing is damning.

The Director of Prosecutions produced a lengthy opinion on a man who played a vital role in the formation of the Goss Labor Government's criminal justice system and he said that that man, Huey, was not to be trusted. A growing number of people are coming in contact with that opinion. There is growing concern about the implications of the paragraph I have just read and the reasons that Mr Miller had for writing it. The Government should be prepared to take the electors of Queensland into its confidence by releasing the full text. The Attorney-General should not run away from his duty to the people. He cannot claim that the disadvantage to Huey carries more weight than the right of the people to full knowledge—that would be arrogance beyond belief. I am not talking about a petty thief but a man with enormous influence over our criminal justice system. That the Government stubbornly refuses to release the Miller opinion speaks volumes.

This matter of John Huey goes to the heart of the credibility—indeed, the legitimacy—of the whole reform process and of this Government which rode to power on Fitzgerald's coat-tails. I believe that that is the real reason for the Government's blind fear of the release of the Miller opinion. Huey was an indispensable part of the investigations of the Fitzgerald inquiry. He was the most senior investigator of the inquiry and also in the commission of inquiry which bridged the Fitzgerald inquiry and the Criminal Justice Commission. Reputations and careers were ruined by investigations conducted by Huey or overseen by him. Evidence given by Huey or prepared under his supervision was critical in a whole range of matters considered by Fitzgerald, the commission of inquiry and the CJC.

The inevitable conclusion is that much of the reform process rests upon the flawed foundations of a proven liar. Huey was so highly thought of by Noel Newnham and Sir Max Bingham that they went to extraordinary lengths to protect him and his credibility, and those two men, of course, carried a huge responsibility for carrying out the reform processes of this State. They refused to prosecute a man against whom there was ample evidence of perjury and the giving of false evidence, but their chief failure was in leaving Huey in a position to pursue his own warped version of what he thought the criminal justice system should be. They allowed him the opportunity to continue the conduct that Mr Mackenroth found so offensive.

I believe that Huey's activities provide a compelling reason why the Government should keep an election promise—the setting-up of a remediation of miscarriages of justice unit. That unit was a solemn promise made by the present Attorney-General when he was in Opposition and stumping the State, making allegations of police verballing. After talking with senior lawyers, I firmly believe that John Huey and his supporters have been involved in many such cases.

Time expired.

Policing of Pollution Regulations

Mr WELFORD (Everton) (11.30 a.m.): Over the years, Queensland electors have been confounded by numerous examples of strange political alliances and bedfellows. I rise in the Parliament today to raise a matter of great concern to me, particularly as it involves a movement that has over the years genuinely expressed its concern for environmental protection and the way in which one of its so-called members has, by remarkable coincidence, got into bed with the National Party. I draw attention to the most remarkable coincidence involving the member

for Burnett, who made a speech in this House on 16 November, and the convenor of the Green Party, Mr Drew Hutton. I will return to the subject of Mr Drew Hutton in a moment. It is an amazing coincidence because one would be tempted to believe, based on recent events, that these strange bedfellows have, in fact, completed their foreshadowed deal on exchanging preferences at the next State election; preferences which the Nationals intend to try to garner from the Green vote. Mr Hutton hopes to receive National Party preferences, presumably in his last-ditch effort to obtain a Senate seat at the next Federal election.

The member for Burnett, Mr Slack, and Mr Hutton have apparently teamed up to condemn the Minister for Environment and Heritage and her department for an internal 1992 Environment Program Evaluation Report. The evaluation report was critical of the pollution licensing and monitoring activities of the Environment Program. The report concludes in part—

> "Many of the major problems accounting for poor program performance are attributable to antecedent factors alluded to in an Historical Overview provided in the report.
>
> The program in its various historic guises has had a very chequered history and has only recently found a stable corporate home—it was an introverted program with very little outreach to the broader scientific and general community."

In other words, under the National Party when it was in Government, the Environment Program was all over the shop and, as the report says, it only found a stable home under the Goss Government. The report goes on—

> "During the course of this evaluation there were many changes and improvements initiated by the program to remedy some of the concerns raised here.
>
> So we feel that it is reasonable to conclude that the Environment Program in its current form is on a path of gradual but steady improvement."

The member for Burnett has claimed that this report was somehow doctored, with the release of an amended 1992 report and a 1993 follow-up report. Interestingly, a *Sunday Mail* journalist, poor old Pat Gillespie, apparently independently came to the same conclusion. So too, quite independently we are led to believe, did the infamous Drew Hutton.

The chief author of all three reports, the executive manager of the corporate planning and evaluation division of the Department of Environment and Heritage, has strenuously refuted these allegations of doctoring made by the member for Burnett, Mr Hutton and Pat Gillespie.

The 1993 follow-up report concludes—

> "Clearly, progress has been made with many improvements implemented or underway—such as the overhaul of the licence management system, re-establishment of compliance auditing of licensed premises in southeastern Queensland, intensive workforce training, an active role in national forums and a major expansion of environmental monitoring capacity.
>
> There is evidence that the effectiveness and efficiency of both the licensing and monitoring subsystems has improved while other initiatives are in train to improve the EIA subsystem.
>
> Furthermore, real program funding has increased and community demand for responsible environmental management remains high."

But the most remarkable of coincidences is yet to come.

Mr Elliott interjected.

Mr DEPUTY SPEAKER (Mr Bredhauer): Order! The member for Cunningham will cease interjecting.

Mr WELFORD: In Parliament on 16 November 1993, the member for Burnett referred to the 1992 evaluation report and claimed that the department's policing of air, water and noise pollution regulations had virtually stopped under the Goss Government. He said—

> "It is interesting to note that in 1988-89, when the National Party was in Government, 1100 inspections were carried out, yet between 1989 and 1992 . . . no visits to premises licensed to deal with water polluting materials occurred."

Mr Elliott interjected.

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

Mr WELFORD: That is what the member for Burnett said. Let that be nailed to his mast. The member for Burnett was referring to a

table in the report, which showed data for various years, but excluded data for other years. He has chosen to interpret the absence of data in certain years as meaning that no investigations, inspections or visits were undertaken. On the basis of this allegedly zero level of inspections under the Goss Government, the member for Burnett has called upon the Minister to resign. Of course, that is not the correct interpretation of the data. I will explain what the correct interpretation is in a moment.

Let us suppose for one moment that the member for Burnett was right. Let us suppose that the absence of a number in a column in that chart means that no inspections were carried out. In fact, a reading of the table shows that 1 100 inspections took place, not in 1988-89 as the member for Burnett claimed, but in 1987-88. There were no figures for inspections in the next year on the chart. In the 1988-89 year, there are no figures. So using the arithmetic of the member for Burnett, the level of inspections that occurred in 1988-89 must have been zero. That was not the first year of the Goss Government, but the last year of the National Party Government.

I might add that the table has virtually no entries for the last year of the National Party Government—no water pollution inspections, no inspections of premises, no licences issued, no fees collected and no funds spent on water pollution control. Who was the environment Minister in the last months of the National Party Government? It was the Leader of the Opposition himself, Mr Borbidge.

According to the member for Burnett's own arithmetic, the present Leader of the Opposition, Mr Borbidge, presided over the complete cessation of water pollution control activity in the Department of the Environment in 1988-89. Now who should resign? Should the Minister for Environment and Heritage resign? Under Mr Slack's own reckoning, the person who really presided over the absence of pollution controls in the Environment Department in 1988-89 was his own leader.

I know that the member for Burnett is out of favour with the Leader of the Opposition by reason of his Privileges Committee report. At least in that case he was out of favour for getting it right. Now he is out of favour for getting it wrong. The member for Burnett has sought to deliberately misinterpret this key table and, in his excitement, he has made a massive blunder in which he has dropped his own leader in the pooh. His own leader, Mr Borbidge, must now explain to the member for Burnett why he stopped all the water pollution control in Queensland in 1989 when he was Minister for the Environment.

The remarkable coincidences continue. Another would-be politician, apparently independently, made the same mistake. Who was that? It was Drew Hutton. I do not cavil with genuine concerns for environmental protection made by my many colleagues in the Green movement. But Mr Hutton is undermining their credibility at a rapid rate.

In the print media on 25 October, Mr Hutton is reported as saying that in 1989 the unit's inspectors carried out 1 100 inspections. That is wrong. On the ABC's Rod Henshaw program on the same day, Mr Hutton said—

> "Effective monitoring of pollution of premises which are licensed to pollute ceased when the Labor Government came to power in 1989."

He is wrong again. Mr Hutton has made the same blunder as the member for Burnett. Of course, he is publicly boasting about giving his preferences to the National Party. Mr Hutton and the member for Burnett, it appears, have effectively conspired to misrepresent that internal evaluation report. By their own mutual blunders and in their own excitement they have exposed the previous Government and the present leader of the National Party, the Leader of the Opposition. As well as this sleazy deal between the National Party and Mr Hutton, who in this instance represents no-one in the Green movement, they find their compliant mouthpiece in the *Sunday Mail* storyteller, Pat Gillespie, who regularly and faithfully writes up their statements as if they were a result of her own research. She made the same error in her report in the *Sunday Mail* of 24 October, when she said—

> "In 1988-89, 1100 inspections were carried out".

Sorry Pat, you are wrong again! She has claimed to the staff of the Environment Minister that it was all her own work after poring over the report for hours.

Time expired.

Hervey Bay Fire Service

Mr LITTLEPROUD (Western Downs) (11.40 a.m.): I want to speak about the lack of a 24-hour manned fire service for the Hervey Bay area. For quite some time in the Hervey Bay area, a controversy has raged over the inability of the local member to secure a 24-hour service for a city of that size.

An honourable member: He's following you.

Mr LITTLEPROUD: I notice that his name follows mine on the speakers list. On 23 November, I accepted an invitation to visit the City of Hervey Bay to find out exactly what people's concerns were. I was informed that, for quite some time, the city council had been pushing for a manned fire station at Hervey Bay. So, too, had the Chamber of Commerce. In fact, 9 004 electors in the Hervey Bay electorate signed a petition, which was collected in three weeks, calling for such a service. So there must be some credence to their claim.

I received a letter dated 25 November from the Chief Executive Officer of the Hervey Bay City Council, which states—

> "Recently Council made submissions to The Honourable Paul Braddy MLA, Commissioner of Police and Emergency Services seeking its Government's commitment for the provision of a 24 hour manned fire service for the Hervey Bay community. You are no doubt aware that Council has been advised that provision of this service is not forthcoming."

The letter states further—

> "The Hervey Bay Chamber of Commerce and Tourism has petitioned the Minister seeking his commitment for the provision of the 24 hour service."

I table that letter.

I turn now to consider the case that has been put forward by the people. I am told that Hervey Bay is a city of approximately 35 000 people and that, during holidays times, its population can increase to 50 000. At present, the Hervey Bay Fire Service has a staff of 12 firemen. It claims—with justification—that places such as Gympie and Noosa, which are much smaller than Hervey Bay, have 24-hour manned fire stations. People have asked, "Why is this so? Why cannot it be done for Hervey Bay when it has been done in places such as Gympie and Noosa?" Also, arrangements have been made for the use of auxiliary firemen at Airlie Beach on a 24-hour basis.

Recently, this issue came to a head because of a fire at a place called Fisherman's Corner. It happened after 11 o'clock at night, when the night shift was not on duty. Usually, during the night-time, an auxiliary fireman sleeps at that station and acts as a communications officer. He has two firemen who are on call at their homes. Should a call be received, he makes contact with those firemen, who then attend to the call. In most smaller centres, that service is probably sufficient. However, in Hervey Bay which, as I said, has a population of 35 000, which increases to 50 000 during holiday times, people have every justification in saying that the existing service is insufficient.

Following the fire at Fisherman's Corner, there was a lot of controversy about the length of time that it took for the fire brigade to attend that fire. An enormous number of media reports ensued, and many people made statements about what happened. I am not going to enter into the debate about how long it took the fire brigade to attend the scene, but I have in my possession plenty of letters in which it is claimed that it took the fire brigade 25 minutes to arrive. Media reports about this incident pointed out that, because of the lack of a 24-hour manned service, $1m-worth of property has been destroyed over a 10-week period and that $10,000 in overtime was spent on calling out firemen. When a fireman is called out on a night call, he is paid double time for a minimum of four hours. The expenditure of $10,000 during 10 weeks is quite significant. Last week, while in Hervey Bay in an unofficial capacity, I spoke to the firemen at that station. They told me that, with a reorganised roster and their current staff, they could provide the 24-hour coverage that the council, the Chamber of Commerce and those 9 004 petitioners are calling for.

In fire stations in most parts of Queensland, including provincial towns, and certainly in other States of Australia and internationally, a system called the 10/14 roster operates. I understand that under that system fire officers work 10-hour shifts for two days, 14-hour shifts for the next two days, and then have four days off. They provide 24-hour coverage with that roster. Fire officers at Hervey Bay claim that that roster could also work there. It is working elsewhere, so why can it not work at Hervey Bay?

Fire officers at Hervey Bay have also suggested—and this has a lot of credibility—that because an automatic communications centre which will automatically send calls to the Maryborough fire centre will be set up at the Hervey Bay fire station, the three men in the communications sector of the Fire Service at Hervey Bay will no longer be needed and will be available for firefighting duties. So it makes good sense for the people of Hervey Bay, the city council and the Chamber of Commerce to ask why those three men cannot be used to put in place the 10/14 roster. I have written to the Minister, Mr Burns, asking him why this should not be done.

There is another matter worrying firemen in Hervey Bay and other provincial areas of Queensland. They believe that what is happening to fire services in Hervey Bay will be the forerunner to a decision about staffing levels in fire stations throughout provincial Queensland. A rumour is circulating—and the Minister will have a chance to quash it—that he is going to implement a policy whereby all provincial centres in Queensland will be manned by auxiliary firemen. That is a real fear among people in the Fire Service. I have written to the Minster asking him to either deny or confirm that that is the plan and that that is why the people of Hervey Bay are being singled out and are not being given that 24-hour manned fire station when places such as Airlie Beach, Noosa and Gympie, which have much smaller populations and fewer firemen, have 24-hour manned fire stations. These rumours are circulating. I ask the Minister: is there some truth in those rumours? It remains to be seen whether or not Mr Burns will confirm that those rumours have substance.

It is worth noting that in 1989, when the population of Hervey Bay was much smaller—I believe it was approximately 18 000—the previous Government promised Hervey Bay a full-time fire service. One would have thought that the local member, knowing that a Labor Government has given a commitment to that service, would honour that promise. However, that is not the case. For four years, the people of Hervey Bay have been waiting for that service. They have made representations to their local member. I understand that, together with a delegation of people, the local member has spoken about this issue with the Minister. However, as recently as earlier this month, they were told that the area will not receive a fully manned fire service. Instead, they have been given an alternative, that is, the provision of a fire station in Hervey Bay manned completely by auxiliary firemen. The people of that area respect the capacity of auxiliary firemen and their willingness to provide a community service. However, members of the Chamber of Commerce delegation which met with me last Tuesday in Hervey Bay were quick to point out that, as good as that proposition is, it does not overcome the problem of a lack of fire services during the night-time. They reject that outright as being a proposition that they can accept in lieu of a 24-hour manned service.

I honestly believe that the people of Hervey Bay have a very legitimate case. Smaller centres can use the 10/14 roster system, and they have a 24-hour manned fire service. Why is it that Hervey Bay—a city of 35 000 people—is being denied a service to which it is entitled? As I said, over 10 weeks, $1m worth of property was destroyed by fire, and $10,000 was spent on overtime. By simply reorganising its roster, the Hervey Bay Fire Service could offer a service that would prevent a repeat of that damage.

Fire Services, Hervey Bay

Mr NUNN (Hervey Bay) (11.50 a.m.): I listened with interest to the diatribe from the member for Western Downs. The people of Western Downs got the short end of the stick when they buffaloed Mr Cooper and left Mr Littleproud in charge. He speaks a lot about promises. He has presumed that National Party people will keep Labor Party promises and that Labor Party people will keep National Party promises. He is a juvenile.

There is an old saying that you can't teach an old dog new tricks. In the case of the National Party in Queensland, that is self-evident. It is the same flea-bitten old dog trotting out the same tired old tricks. Nowhere is this more evident than in its attitude to the provision of fire services in Hervey Bay. The Opposition has taken a negative, knocking approach to this issue, with the honourable member for Western Downs, Mr Littleproud, sinking lower than low and employing the old National Party tactic of unnecessarily frightening people out of their wits.

He cited a so-called National Party promise to provide a 24-hour fire service. I will tell the House how good that promise was. The promise was made to the member for Maryborough. It was made in a letter by the former Minister, Mr FitzGerald. Do honourable members know when it was made? I will tell honourable members why at first that promise was not made to the member for Hervey Bay: the member representing the people of Hervey Bay was non-existent at that time. The Nationals had deserted Hervey Bay. There was no representative. The former Government made the promise to the former member for Maryborough, who is well-known for his negative attitude to Hervey Bay.

The date of that so-called promise was 23 October 1989. It was made in the dying days of a decaying and corrupt Government which was prostituting itself and soliciting votes in the streets. It would promise anything. It was nothing but another cheap political stunt on the eve of the 1989 election. When this Government was elected in December of that year, it began the establishment of the new Statewide fire service. This meant that, for the

first time, there would be a system that allocated firefighting resources in a logical way, not in the piecemeal, fragmented board system. It was a case of every board for itself, and the devil take the hindmost. I can think of no more despicable way to allocate fire services than to dole them out as a political bribe at election time.

The voters of Queensland deserve better than that. They deserve to have a service supplied to Queensland standards, designed by professionals to meet the needs of modern communities. That is what they will have. The so-called promise by the National Party was put on ice. It was not put on ice by a meddling Minister distributing largess by way of political patronage to his cronies; it was put on ice by Queensland's foremost professional firefighter of the day, none other than Wally Belcher, the Commissioner for Fire Services appointed by the Bjelke-Petersen Government. He put it on ice pending the review of fire services in Queensland which followed from the Leivesley report.

That report was commissioned by Russell Cooper for the former Government. At least Russell Cooper had the honesty and the courage to back that report. He visited fire boards around Queensland to sell it. I would like to remind Opposition members that the idea of a Statewide fire service and the scrapping of individual boards arose from the Leivesley report, an initiative of the former Government.

Many people have expressed concerns about the level of fire services in Hervey Bay. As their local member, I have been addressing those concerns on a logical and consistent basis. I have not sought to make headlines with a blatant fear campaign, as has the National Party. The Minister has already indicated that none of the proposed improvements to the fire services in Hervey Bay arose from National Party activity. The Nationals are on the wrong tram. They have been badly advised. They would have been better off sending Russell Cooper to Hervey Bay. He knows something about the subject. If they had done that, they might have had a more balanced view of the situation.

Those improvements came from a non-political delegation which expressed a desire to meet with the Minister. I was able to arrange that, and the meeting brought quick and positive results. Initiatives agreed to at that meeting—and they have been detailed in the press—include the Queensland Fire Service advertising for five extra auxiliary firefighters who will commence duty as soon as they are trained. The new Hervey Bay Fire Station, which will be operational before the end of this year, will be staffed by 13 permanent firefighters plus the 15 auxiliaries, which includes the five new positions. In the 1994-95 financial year, a second auxiliary fire station is to be built in the western area of Hervey Bay. It will be staffed wholly by auxiliary fire personnel. Turnout times for the Hervey Bay Fire Brigade will be audited.

I would like honourable members to compare these results with what the Opposition spokesman, Mr Littleproud, has supported, that is, the sacking of all professionally trained auxiliary firefighters and their replacement with permanent officers. He wants to kick them out. He wants to get rid of the auxiliaries who have given such sterling service to Queensland over the years. They have saved lives and property.

Mr LITTLEPROUD: I rise to a point of order. I find those remarks untrue and most offensive. I ask that they be withdrawn. He said that I attacked the auxiliary firemen.

Mr DEPUTY SPEAKER (Mr Palaszczuk): The member for Hervey Bay will withdraw that comment.

Mr NUNN: If it offends him, I withdraw it. But I did not say that he attacked them; I said that he supported——

Mr DEPUTY SPEAKER: Order! The member has withdrawn; he should continue his speech.

Mr NUNN: He wants to kick them out and he wants to get rid of them. This move alone would result in a doubling of the fire levies for the people of Hervey Bay. The Nationals are saying, "Sack the auxiliaries at the Hervey Bay Fire Station and replace them with permanent officers." That will cost an extra $267,882 per year every year. To staff the new fire station in the same manner with full-time staff will cost in the order of an extra $1m this year, and every year after that.

The present levy system collects roughly $750,000, and roughly $750,000 is returned to fire services each year. The shonky old National Party is running around promising the earth. It is making promises it will never have to keep. But it is not telling the people of Hervey Bay that, to keep its promises, it will have to double the fire levy. Why has Mr Littleproud not made that clear? I will tell honourable members why. It is because he is propping up the National Party candidate for Hervey Bay at the next election. He does not care about the people of Hervey Bay. That is

not surprising, because he knows nothing about Hervey Bay or its people.

I ask all honourable members on the other side to put their hands up if they support the proposition put forward by the National Party that we double the fire levy not only for Hervey Bay but for all of Queensland. Not one hand came up. We cannot blame them, either; it is a shonky idea. The shadow Minister does not have the support of his party on this matter, and the Leader of the Opposition should sack him. I think he would like to do that.

As I said, the delegation I introduced brought results, while the National Party played politics. The members of that delegation deserve congratulation on the effective way in which they presented the case on behalf of the local community. The delegation included Lee Werder, the deputy chairman of the former Hervey Bay Fire Brigade Board, and senior Suncorp representative; Don Gayler, a Hervey Bay solicitor; and Bob Gregg, a Hervey Bay engineer. They were all able to present a case, sift evidence and weigh up the facts.

The delegation made it clear that the 12-minute response time to the Fisherman's Corner fire was not good enough. The Minister agreed with this, just as the Queensland Fire Service Commissioner did. The National Party representative in the area wanted a private fire service—a totally impractical idea which was greeted with hoots of derision from the public. Two things contributed to the slow turnout time on that night. The Telecom pager system used to call out the auxiliaries did not perform to expectations, and incoming calls jammed the phone lines. The Queensland Fire Service has now switched to a new pager system through Bell Page, and a dedicated line is now available at the fire station so that those on duty can contact firefighters immediately.

In addition to these changes, at the request of the delegation it was agreed that the regional assistant commissioner would audit the turnout times at the Hervey Bay station. The delegation also raised the question of how the number of personnel being supplied to Hervey Bay compared with other areas. It was advised that the Queensland Fire Service had undertaken a risk mapping assessment of the whole of Queensland and, as a result of that assessment, future staffing will be based on the outcome.

Time expired.

GLADSTONE POWER STATION AGREEMENT BILL

Second Reading

Debate resumed from 16 November (see p. 5870).

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (12 noon): The tragedy is that we are debating this Bill at a time when the project that it seeks to advance is in grave danger of not proceeding because of the tardiness of this Government in reaching this point. The sale of the Gladstone Power Station to Comalco is now just one of the prerequisites for the $1.75 billion expansion of the company's aluminium smelting operation at Boyne Island. It is a project of great significance to Queensland and would generate 800 jobs in construction and permanent employment for 1 000 people. The addition of a third potline to the smelter will effectively double production from 260 000 tonnes to 460 000 tonnes, which will add an extra $6 billion to Australia's foreign exchange earnings over the projected 35-year life of the Weipa bauxite deposits.

It is precisely the sort of project that this country and this State desperately needs to put some sort of a dint in the unemployment queues that are the greatest single legacy of four years of inaction from the Labor Government in this State, and over a decade of inaction from the Labor Government at the Federal level. As I indicated, the tragedy is that we are considering this Bill at a time when, because of dithering on the part of the State Labor Government and the extraordinary role of both State and Federal Labor Governments in expanding the expectations of Aboriginal people, the project is now in grave danger of not going ahead, despite the agreement represented by this legislation. We could and should have dealt with this legislation years ago. The project could have been well advanced at this time—with finance secured and at work long ago—rather than remaining under threat almost four years to the day since this Government came to office.

Comalco required the purchase of the power station as a prerequisite to the expansion on two counts. One was the need, after the shocking record of the power unions within the generation industry around this country and in this State in particular, to establish private ownership in order to better guarantee continuity of supply. Although that is a requirement of all industry, it is of particular relevance in the alumina and aluminium industry, because the cost of

cleaning up machinery clogged with solid metal after a discontinuation of supply runs to millions. The other count, given the particularly bad record of State Labor Governments around this country in keeping their word on agreements over pricing, was the need to establish private ownership in order to ensure that electricity could be generated consistently at an affordable price.

The Government was in a position to have made a decision on this matter early in its first term. It certainly had all the stimulation that it needed to reach agreement promptly. Given the recession we had to have from the Prime Minister we had to have, who was then the Treasurer we had to have and who has now given us the land rights we had to have, there was a great and pressing need for projects such as that proposed by Comalco. We needed just this sort of project to start attacking Labor's unemployment queues. But what did we see from the Premier when he had the opportunity to deliver a massive project handed to him on a platter? He dithered—the famous dithering! The excuse that he put forward for years on end was that the previous Government was going to give the power station away for a mere $500m. The fact is that that was never the intention, but it became the Premier's fig leaf.

Mr Beattie: You say that now.

Mr BORBIDGE: I invite the honourable member who interjects to participate in this debate and to study the sorry history of why it has taken the Government four years to present this legislation to the Parliament.

In any event, if the Premier had sold the power station in 1990 for the alleged Mike Ahern price tag of $500m and put it in the bank, the Treasury would have done at least as well as it might now—if the project proceeds—out of 750 million 1994 dollars. The fact is that the negotiations, such as they were, had very little to do with the price tag at all. They had everything to do with privatisation—that most undesirable concept in Labor Party terms—and in particular the response to privatisation in the Left Wing of the Premier's party.

Ian McLean, the Premier's party president, put it on the public record. He told the *Sunday Mail*—the same newspaper in which, not three weeks ago, he was attacking the Premier's position on prostitution, which is another hot topic with the Left—that the privatisation issue would "complicate" the sale of the power station. After that comment, the man who used to rail against the role of Bob Sparkes in the National Party pulled back from discussions on the power station sale faster than a rail cut.

There was a related problem prompting a long hiatus in the negotiations. It had to do with the fact that the Government had as a glint in its eye—as the Holy Grail to fuel the fastest rate of increased spending in the country, up to and including John Cain—the concept of corporatisation. The corporatisation issue is closely linked to this Bill in two ways. The first is that the Premier did not want to be pressing a privatisation issue such as the sale of the power station while his Treasurer and others—including those who heckle like jackals from the back bench—were trying to convince the public sector unions and the Labor Party power brokers such as Ian McLean that the halfway house, corporatisation, was a good idea; that it was not privatisation in disguise. So the sale had to go on the back burner, because it was a red rag to a bull. The Government could not afford to have its corporatisation plans threatened by privatisation, because the unions and half of the Labor Party were convinced that "corporatisation" was really code for "privatisation".

While we had the Premier pulling his usual trick in order to hide his own incompetence and lack of courage and conviction on behalf of the workers of this State by trying to blame the previous Government for the problem on an issue of price, he was actually engaging in a deliberate go-slow on the negotiations to keep his own troops under control. That lack of leadership may yet prove to be as costly in relation to this specific project as it has been more generally to this State over the past four years. It was a very irresponsible and risky game, even without Mabo in the picture, because Comalco is a very big company with projects around the world.

The Government knew perfectly well that the Boyne Island proposal was only one of several potential projects that Comalco had on its books. At all material times, the Government was well aware that Comalco could easily reach a point at which, instead of holding the project at the head of the queue, it could fall to the bottom and be a decade or more away from a second chance. But even that did not get the Government moving. We saw the negotiations dropped to officer level. The fact is that it was not until August last year—almost three years on, in the run-up to a State election—that the Government actually reached an agreement for the sale.

For the most part, it appears to be a reasonable agreement, and the Opposition will support it in the hope that the needless delay in reaching this point does not, ultimately, mean that the project has been lost. As I said earlier, this project could now be under way. We could, by now, have seen some of the record number of people who have joined the unemployment queue in Queensland under government by the Australian Labor Party leaving that dole queue for jobs in Gladstone, building a potline. Instead, the whole project is in limbo. Just a few weeks before the Government reached the basis of agreement with Comalco, the High Court handed down its judgment in Mabo No. 2. That judgment, as we now know, will have a far-reaching impact on Australia. It also retains the potential to kill this project.

It is significant that the Government knew nothing, or professed to know nothing, about the Wik claim on Comalco's bauxite deposits—the deposits on which this project hinges—when it was lodged on 30 June this year with the Federal Court in Brisbane. With all the resources at the disposal of the Premier, with his 80 per cent increase in Budget, it was my paltry office that came across the filing of the action through a watching brief that we maintain on the courts. The Wik action seeks damages from the Commonwealth and the Queensland Governments for a breach of fiduciary duty—a breach of trust—among a vast array of other remedies. Notwithstanding the plethora of actions that have emerged from Mabo, it is still the most potent test case on the books.

So here we are today, debating a Bill relating to a project that should have been well and truly on the go but is not and may never be because of more of the dithering for which this Government has been absolutely notorious. The principal problem now confronting the project in the face of the Wik claim, and brought about by the failure of this Government, is finance. Financiers are not willing to commit to a project unless they are well convinced that the chances of a return on their money are at least excellent. I am sure that is understood by someone in this Government—even some of the backbench members—even though the Government barely has a project or successful project negotiation to its name. Even this project, if it gets off the ground, had its genesis under the previous Government.

Financiers will not commit to the project until they believe it is the next best thing to a sure thing, and I am both saddened and frustrated that, as of today, it is still a long way from that. We have seen the Commonwealth's Native Title Bill, which purports to validate the Comalco leases at Weipa, and we will apparently see the Queensland Government's faithfully toadying complementary legislation possibly tomorrow after tonight's special Cabinet meeting. However, it should be noted that the project-specific validation that the Premier sought from the Prime Minister back in August is not there—I repeat: "not there"—in the Native Title Bill. Protection for the McArthur River project-specific validation for the Northern Territory is there, but specific validation for Comalco is not. I cannot help wondering to what extent the palpable dislike that exists between the Premier and the Prime Minister is reflected in that failure of the Premier on behalf of his State to secure what Marshall Perron could achieve for the Northern Territory.

The existence of some specific lines in the Bill might have been enough for Comalco to convince its bankers. I hope that the absence will not have the opposite effect, but we should all be aware of where the Prime Minister stands on this project and this State and, indeed, this land rights claim, if that is not already clear. I quote the Prime Minister's statement in the *Sydney Morning Herald* of 13 August, when the Premier was failing in his bid to achieve project-specific inclusions in the Native Title Bill on behalf of Comalco, when he said that it was one thing for the Commonwealth to validate titles where a Government had sought to act in a non-discriminatory way. I now quote the Prime Minister directly, and Government members should listen to this very carefully—

> "It was another to protect a discriminatory action, one that was fraudulent, or one that wilfully disregarded particular interests."

Those are the words of the Prime Minister, whose Mabo legislation the Government is about to enshrine in Queensland by facilitating over the next few sitting days the passage through this place of its own enabling complementary legislation. Quite clearly, the context was the situation at Weipa. Comments by a CRA spokesman only a few days later, after the Prime Minister disclosed apparent—but apparently still secret—measures to adequately validate the Comalco leases, are also highly relevant to the legislation before us today. He said—

> "We hope that there will be no residual consequences for the leaseholders or freeholders arising out of any doubt about the ability of

> Governments to have validly granted titles in the past. Otherwise the objective of removing uncertainty for investors will not be attained."

There is, ultimately, no confirmation of security that Governments can give over leases, even validated leases subject, as the Comalco leases are, to a claim of breach of fiduciary duty. If a breach of fiduciary duty is proved, all bets are off. We must also deal with the requirement of Comalco that there be certainty in relation to the leases by the end of March next year, which is an extension of its earlier deadline of the end of 1993. The simple fact is that, even if the company is satisfied with the generalised validation process provided for it in the Native Title Bill, if it passes the Senate, the legislation is certain to face an immediate challenge, which could further threaten the timetable.

It must be repeated again and again that we in this Parliament should not be in this position. Comalco should not be in this position. People desperate for a job in this State should not be in this position. The potential financiers of the project should not be in this position. The nation, which desperately needs the foreign exchange earnings from this type of project, should not be in this position. If the Government had taken its job on behalf of Queenslanders more seriously than it is prepared to take internal party politics, in the first instance in relation to the Left Wing of the Queensland branch of the party over privatisation, and in the second instance in relation to the Prime Minister's faction in Canberra over validation, we would not be in the position in which we find ourselves today.

I mentioned earlier that the Government's corporatisation policy has two areas of impact on the legislation. The second is in the extraordinary requirement on the Government to underwrite the ability of the Queensland Electricity Commission to purchase excess power from the Gladstone Power Station. As we all know, the QEC is an extremely efficient producer of electricity, largely as a result of the reforms instituted by the previous Government, which turned it from an organisation with one of the worst records in the nation to an organisation with one of the best records. One of the results of the boost in its performance was and is one of the best credit ratings of any statutory organisation in the country.

It is unthinkable that the QEC would need help from the Queensland Government, and one would think that the financiers had it back to front by looking for underwriting of the QEC by the Government, because, in fact, the QEC will underwrite the Government. Under corporatisation, which occurs for the QEC from 1 January 1995, the Government will take income tax from the QEC, and it will take a 50 per cent dividend from the QEC each and every year—I repeat: "each and every year". Based on this year's profit, that is in excess of $400m. Put another way, almost half of the QEC's annual pretax profit will go back to Government. We are talking here about the rape of an organisation that currently delivers to the people of Queensland the lowest-priced non-hydro power in this country. We are talking about an organisation that spent well over $1 billion on the Stanwell power project without borrowing one cent. And now in this legislation and in the negotiations, we see that financiers are worried about whether it will be able to buy a bit of power back from Gladstone, to the point at which we must have an underwriting provision.

Why? One answer is the threat posed to the future viability of the QEC by the Government's corporatisation policies. The bankers know that the Government will rip off the QEC absolutely unmercifully, and they understand the potential impact. The bankers have recognised what not enough Queenslanders have yet recognised—that corporatisation has the capacity to bleed the QEC dry, so they want the Government to underwrite it. As I indicated earlier, the Opposition supports the legislation. We wish that a lot more legislation like it was coming into this place. By that, I mean legislation that carries with it the promise of jobs instead of the diet of bureaucratic claptrap that we have been force fed ad infinitum over the past four years. The legislation is at least an attempt at enabling rather than frustrating legislation, and to that extent it is more than welcome.

The one regret of the Opposition is that the Parliament is dealing with the Bill on the last day of November 1993, instead of in or about mid 1990. If we had dealt with the Bill then, hundreds of Queenslanders who now do not have jobs would have them, and the country would be substantially closer to reaping the much-needed benefits via an improved balance of payments. Instead, we can only live in hope of those jobs and that return on the basis of the Government and the Premier's dithering and preoccupation with internal party politics over the future prosperity of this State, economic development in this State and the best interests of the people of Queensland.

Hon. T. McGRADY (Mount Isa— Minister for Minerals and Energy) (12.20 p.m.): I welcome this opportunity to address this Parliament on the Gladstone Power Station Agreement Bill. This is a Bill that will mean so much to the future of Queensland and, in particular, to the people who live in the Gladstone area. I accept that it is not usual for a Minister to speak on another Minister's Bill, but because of its importance to the economy and the involvement of my department, the Queensland Electricity Commission and myself, it is appropriate that I enter into the discussion on this Bill.

At the outset, I offer my congratulations to all of those officers of the Government, including officers of the Premier's Department, the Department of Minerals and Energy and the Queensland Electricity Commission, who have worked so long and hard in bringing this Bill to fruition. It is a Bill which means so much not just to the people of Gladstone, but also to every person who lives in this State.

I want to briefly look at what this Bill means to our State and the people of Gladstone. Independent studies show that 943 permanent jobs will be created by the smelter expansion. Another 375 jobs will be created at the smelter itself and 306 elsewhere in the region. A further 132 jobs will be created in other parts of Queensland. The additional 680-odd jobs in the Gladstone region will generate $28m a year in wages. It is expected that at the construction peak over 2 000 jobs will be created in the Gladstone region, with a further 400 in other parts of the State.

This is certainly a good news day for Gladstone and for Queensland. This good news day did not just happen. It has been part and parcel of careful planning by the Goss Labor Government, despite the taunts and spoiling and negative tactics of the Queensland Opposition. This really is its day of shame. No doubt, the people of Gladstone will remember the coalition as a group that tried to place obstacles in the way of this great decision—a decision which will have so many people in Gladstone delighted. However, I am pleased to hear that, despite all their protestations, the Opposition will support this Bill. Rightly so, too.

This is not simply the sale of a power station. It is a sale that will provide growth and development in Queensland. Comalco and its partners required a stable and secure supply of electricity to expand the existing smelter and to build a third potline, which will double the smelter capacity to 460 000 tonnes per year. This will make Boyne Island one of the biggest and most efficient aluminium smelters in the world. In addition, the sale provides for the QEC to purchase the excess capacity that Comalco will not require to supply the smelter. That excess amounts to about 540 megawatts.

As Minister with joint responsibilities for Minerals and Energy, I am very pleased to support this Bill. As well as making Gladstone the first truly private power station in Australia, the Bill will open the door to greater use of Queensland's resources for value adding. As honourable members would know, the policy of this Government has been to attract new value-adding enterprises to Queensland—particularly to central Queensland. This smelter expansion will increase Queensland exports by about $400m each year. The sale of the power station will also provide a positive benefit for the Queensland coal industry.

Initially, Comalco will take over the coal supply contracts from the QEC, but by the year 2005, when these contracts expire, Comalco will have to seek competitive bids from Queensland coal suppliers for the coal it requires. Additional coal will also be required by Comalco by 1998. It will also need to seek this coal on the Queensland market. These requirements will further boost investment and employment opportunities for central Queensland.

Negotiations are nearly complete for the Gladstone Power Station to operate as a private power station within the State electricity grid and for the QEC to purchase electricity from Comalco at a competitive price. Comalco will have a strong incentive to reduce its cost of production at Gladstone for supply to the smelter. The benefits of these improvements in efficiency and costs will also flow automatically to electricity purchases by the QEC.

Gladstone will also be competing with the other publicly owned power stations in Queensland. This is consistent with the Government's policy of pursuing competition in the electricity market. Again, I commend the Government negotiating team on its performance over past months. It has been truly outstanding in reaching this conclusion in a very difficult negotiating climate. The result is certainly a credit to those officers and, indeed, the Government itself.

I want to emphasise today that this is not a sale of assets of this State. We are not selling the power station simply for the sake of selling it. We are selling the Gladstone Power Station in order that Comalco will continue with

its plans to build a third potline at the Boyne Island smelter. The result of this decision will mean an investment in this State of $1.8 billion, which any Government in the present economic climate would be more than happy to facilitate.

I think it is appropriate that honourable members look at some of the suggestions that were made by the Deputy Leader of the Coalition, Mrs Sheldon. As we all know, the money that will be raised from the sale of the Gladstone Power Station is going to be returned to the QEC and, in turn, that money will be used to pay off debts that have built up over a number of years. Mrs Sheldon, supported by her coalition colleagues, has suggested that that money should be used on one or two of her pet schemes. If we as a Government were to implement her proposals, it would simply mean massive increases in the price of electricity in this State. That is something which this Government is not prepared to allow to happen. Mrs Sheldon's suggestions demonstrate just how out of touch she and the coalition are with financial reality.

The Leader of the Opposition mentioned before the lack of leadership by the Premier. In all of my years in public life I have never seen such good leadership shown by a leader of a Government or any other instrumentality as has been shown by the Premier. The work that the Premier and his team have put into the sale of the Gladstone Power Station should be, and indeed is, appreciated by all of the people of Queensland. Members of the Opposition sit there and talk about Gladstone. They should go to Gladstone and talk to the people who really make the decisions. It is the people of Gladstone who are proud of this Government and are complimenting the Premier and his team on the work they have done.

This sale of the Gladstone Power Station is just one of a number of projects in this State that will assist us to create work for Queenslanders. I mentioned this morning the developments which had taken place on the RA 55 that will mean thousands of jobs for the people of this State. We also have the Carpentaria/Mount Isa mineral province going along well, thanks to the work and initiatives of this Government. We also have this major development in Gladstone that will provide thousands of jobs for Queenslanders.

No debate would be complete without a tribute being paid to the leadership that has been shown by the trade union movement in this State. In the early days of the project's negotiations, many people who worked in Gladstone and, in particular, at the Gladstone Power Station had concerns about what this sale would mean to them as individuals. The leaders of the trade union movement, encouraged by the rank-and-file workers in the power station, accepted the project—they did not merely fall into line with it—and assisted in the discussions and negotiations. The result is that, today, near to the completion of one of the most complex agreements in this State's history, there has been an almost unanimous decision by the work force to go along with these plans. As I said earlier, this is a good news day for Queensland because the Bill represents the fruition of many months of long and detailed negotiations. At the end of the day, thousands of jobs will be created because of the insistence of the Goss Labor Government.

Members of the Opposition stand condemned because in recent months we have seen ridicule hurled across the table of this Parliament during every single question time. Members of the Opposition are the people who will suffer. They are the spoilers. At the next State election, the people of Gladstone will show their disgust and distrust of members of the Opposition. I am delighted to stand in this Parliament today and support the Bill.

Mrs SHELDON (Caloundra—Leader of the Liberal Party) (12.32 p.m.): The Gladstone Power Station Bill is a very powerful piece of legislation. It gives the Premier far-reaching responsibilities, while the Act in itself will override all other pieces of legislation that might impact on the sale.

There is no doubt that the sale of the Gladstone Power Station is important to Queensland. In fact, one only has to look at the State Budget papers for 1993-94 to realise just what it means for this State. The Treasurer has put almost all his private investment eggs into this one basket for the 1993-94 financial year. Budget Paper No. 5 shows just how pathetic this Government has been in encouraging private investment in Queensland and how much it relies on this paper transaction sale to make the figures look good. On page 8, under the title "Effects of Proposed Sale of Gladstone Power Station 1993-94", it states that private gross fixed capital expenditure in Queensland this financial year will rise 7.3 per cent with the sale, but only a pitiful 0.1 per cent without the sale. The same chart shows that business investment this financial year will rise 16.8 per cent with the sale, but only 1.2 per cent without it. The same goes for plant and

equipment, which will rise 25 per cent with the sale, but actually would be negative 0.2 per cent without the sale of the Gladstone Power Station.

The fact is that this Government needs this sale to prop up a private sector which has now been overtaken by the so-called rust-belt States when it comes to growth, and the saddest part of all this is that the sale of the power station in itself will not create any new jobs. It is just a paper transaction and, so, unfairly and incorrectly bolsters these investment figures. It paints a false picture of the Queensland economy because, at $750m, it throws the whole figuring process out of whack.

Before the Premier starts sweating and whining, there is no denying that the sale of this power station will, in the long term, facilitate a deal which will be very beneficial to Queensland. But the sale in itself will not save the Queensland economy from private sector stagnation which this Government has brought about through its tax-and-charge policies.

This Bill essentially achieves a four-fold purpose. It creates the scenario for the power station to be sold; it provides for continuing commercial interaction of State Government departments and agencies; it assures the continuation of the power station's involvement in the State power grid; and it protects the employment conditions of power station workers. It also gives the Premier enormous power. But it does not do the one thing that is vital for the project's success. It does not provide guaranteed title for Comalco and its associated companies over the coal deposits needed to make the power station/smelter deal a reality. That is the basic flaw in this legislation.

This week, we will see the introduction of Queensland's Mabo legislation, which we are told will complement the Federal legislation. The Federal Government's Mabo Bill faces massive hold-ups and problems in getting through the Senate. It is facing increasing disquiet among the farming, business and mining communities, which are giving it a very thorough second look and not liking what they see. It could be stuck in the gridlock of Canberra for months, and Queensland's legislation—and the future of the Boyne Island smelter project—will be stuck in there with it because the Premier did not have the intestinal fortitude and the good sense to go it alone. Legislation similar to the MacArthur River project's legislation in the Northern Territory could have been introduced, thereby providing security of title for Comalco and its partners. The Premier could have taken the initiative for once and worked out a deal with Canberra to ensure that such an obviously vital project was backed and protected by the Federal Government. But, no! As usual, he dillydallied.

Instead of kowtowing to Canberra, the Queensland Government could have done the right thing by the people and the businesses of Queensland and brought in Mabo legislation of its own for the benefit of all Queenslanders rather than adopting the approach of bringing in legislation complementary to Paul Keating's Mabo deception—which, we now see, could be held up for months in Canberra. So this week the Premier will introduce legislation which will leave the future of this Comalco project still up in the air and the $1.8 billion in investment still in doubt.

In his second-reading speech, the Premier admitted that the Wik people's claim over part of the Weipa bauxite lease had delayed the sale of the power station. Despite Comalco's obvious desire to get the project up and running, that cloud still hangs over it. What is worse is that, should Comalco be still waiting for the Federal and State Labor Governments to get their Acts together after March 31 this year, the Premier will bill Comalco $500,000 a week for the privilege. What a deal! Is it any wonder that this Government is scaring away private investors!

The Goss Government has already cost Queenslanders between $13m and $23m through its lack of action on Mabo and on this deal with Comalco. As I pointed out earlier this month, the delay by the Premier in signing the deal with Comalco from 31 December to 31 March will mean that the State Government will be forced to keep paying interest on the $750m in debt it plans to redeem with the power station sale. The power station was earmarked to redeem the debt which is being hit with interest rates varying from 7 per cent to 12.6 per cent. In this House on 18 November, the Premier, when asked about the cost of the delay, did not even know about it. He did not even know the first dollar cost to Queenslanders of his Mabo inaction. The fact is that more than a year ago the Premier could have listened to the coalition and to me in particular and could have gone ahead with his own Mabo legislation. That would have guaranteed title, secured mining and pastoral leases, and created an environment in which investment could flourish without the axe of land claims hanging over its head. But the problem goes back even further.

If the Premier had not adopted his classic do-nothing stance four years ago when he came to power, Comalco would not be facing these problems, which is the crux of the matter. Back in 1989-90, this Government—led from behind once again by the Premier—failed to clinch this deal. The deal was on the table then, but the Goss Government decided to hold out to get a better price. The fact is that, if the Premier had taken the $500m on the table when he came to power and put it in the bank or redeemed debt as he plans to do with the $750m that he will receive from the sale next year, the people of Queensland would have been ahead, and certainly no worse off. But, no; he fudged and fumbled, and almost let the deal slip away. Now it is caught up in the Mabo debate and threatened by low overseas aluminium prices. The whole project is under threat because the Premier could not make a decision. One wonders whether he would have made a decision by now if it were not for the problems of Mabo forcing his hand.

Sometimes, Comalco and its international backers must feel as though they are dealing with a sponge in their dealings with this Premier and his Government—a sponge that gives the outward appearance of being solid, but contracts at the first touch. Whenever anything gets difficult, the Premier and his Government retract and wait for someone else to take the sting. That is what he is doing here. He has failed to guarantee the necessary investment environment for the power station/smelter deal to go ahead, and he has left someone else to take the blame if it falls through. That is the truth of it. If this deal falls through, we will see Wayne Goss pointing the finger at his mate Paul Keating as fast as he can.

There is another very disturbing aspect to this piece of legislation—not disturbing in itself perhaps, but disturbing in the implications it raises. I refer to the virtual Government guarantee that has been placed on the Queensland Electricity Commission by the State Government to ensure that the QEC will remain financially viable while purchasing its electricity from Comalco and its partners at the agreed price. What an amazing caveat to have to put into a piece of legislation. It is amazing when one considers the financial position of the QEC. Its annual report, published only a few weeks ago, showed that the QEC made a profit of $400m in the past financial year. That is a very healthy profit, as even the Treasurer has admitted. So why the need for a Government guarantee to protect Comalco should the QEC be unable to pay its bills a few years down the track?

Could it be that, like many other Queenslanders, Comalco fears the effects of corporatisation on the QEC? Could it be that Comalco believes that the QEC will have its profits severely cut once it is corporatised, as the State Government sucks out larger and larger dividends? Could it be that Comalco believes that under corporatisation the QEC's profits could be cut to such an extent that its ability to pay for power from the Gladstone Power Station could be jeopardised?

Under the State Government plan, the QEC will be corporatised on 1 January 1995. Based on the past year's figures, the Government will take from the QEC: $132m in tax equivalent payments, $134m in dividends, and $16.2m in a loan guarantee fee to the Queensland Treasury Corporation. Under corporatisation, the Government would actually reap an extra $39m from the QEC, bringing the total take to $282m based on the past year's figures due to the increased 50 per cent dividend. But, as Comalco no doubt fears, is that where the State Government will stop with its dividend and tax take from the QEC? Certainly, the record of Labor Governments in the past, and this one is very little different, is that if the money is there, they will take it.

This section of the Bill highlights more clearly than anything else said or written about corporatisation under the State Labor Government just what is in store for the new corporate entities. Comalco, and the coalition, and no doubt many other Queenslanders, fear just how much Labor will take out of entities such as the QEC, and this Bill shows that our fears are justified. Why else would the Premier be forced to offer a virtual Government guarantee for the QEC, an entity that has been reaping more and more profits than ever over the past five years?

This Bill raises many questions about how the Premier and his Government operate. It raises many questions about just how much money and possible lost investment the Premier has cost Queensland and Queenslanders through his inaction and lack of initiative since 1989.

Although the coalition will not oppose this Bill, and hopes that this deal does go through for the benefit of all Queenslanders——

Mr W. K. Goss: Do you support it?

Mrs SHELDON: I have said that the coalition will not oppose the Bill. However, I for one am angry that the Premier has put this

deal in so much doubt through his dithering and through his ineptitude.

Mr BENNETT (Gladstone) (12.44 p.m.): This morning I have had the displeasure of listening to the two greatest knockers in Queensland: Borbidge and Sheldon. What a terrible exhibition they put on for us. The member for Caloundra and the member for Surfers Paradise are the two greatest knockers in Queensland. Although this legislation deals with a project of great magnitude and benefit to the people of Queensland, all they can do is run it down and run down the process.

This Bill represents a huge vote of confidence in the Gladstone region by the Goss Government. It represents an article of faith held by the community, the power station employees and international investors in the Goss Government's plan for Gladstone. That plan involves port expansions, industrial zones, and a light metal industries concept. Not only will the people of the Gladstone/Calliope region benefit from this Bill, but also the people of the rest of Queensland. This Bill will well and truly signal to international capital that Queensland is open for business, as it has been for the last four years.

Prior to entering Parliament, as an employee at the Gladstone Power Station, I held positions as a leading hand special class electrician, a plant attendant and finally a unit controller. I have to say that it was a shock when a former Premier, Mike Ahern, announced that the Gladstone Power Station was going to be sold. According to Comalco officials, at that stage it was very much pie in the sky—members of the Opposition should remember that it was "very much pie in the sky"—and there was no commitment to the project. At that time, the price tag was a paltry $450m. No thought was given to the expectations of the community or the future of the power station workers.

The project then sat on the shelf until Comalco came back to the Goss Government which agreed in principle to sell the station for $750m and a $75m loan redemption from the Federal Government. What an achievement this is, in contrast to the hapless Nationals who were willing to give away for a paltry $450m the Gladstone Power Station—a people's asset. It was a power station whose future was uncertain. At that time, in my capacity as the chairman of the Combined Operating Unions, I was shown the forecast power figures, which showed that the station would be run as a three unit station for several years. There are currently six units at the Gladstone Power Station. This deal will give the station greater capacity to run at high levels over the next 30 years.

Honourable members should be made aware of the reasons behind the need for Comalco and its partners to own the Gladstone Power Station in order to facilitate the development of the third potline at the Boyne smelter. The Boyne smelter required power costing arrangements that could not be altered by Governments. At different times, Governments worldwide have reneged on their power deals. For this reason, in order for Comalco to attract international finance it had to prove it had secure power pricing and supply arrangements. To this extent, it was preferable that it owned and operated its own power station. Honourable members should remember that the Bjelke-Petersen Government reneged on its power costings for the Boyne smelter. It changed the rules halfway through the deal. That is one of the reasons why Comalco needed power-pricing arrangements.

Some critics have come forward to say that a Labor Government should not be selling a major public asset. But I say to those critics: what better way to help the working people of Queensland than to provide jobs and security, with the location of this industry in one of the most attractive areas in Australia? It should lead to a high quality of life in the region.

Before moving on to the benefits that the smelter expansion will bring to the Gladstone region, I point out a commitment made to the workers of the Gladstone Power Station on their wages and conditions. The Goss Government made a commitment to the work force that conditions would remain the same. To this end, local union delegates, many of them close personal friends, have worked with Government negotiators, union officials and then with NRG/Comalco. NRG, which is based in Minneapolis, is the chosen operator. It has extensive experience in power station operations. Although the course of these negotiations has not always been smooth, the outcomes have honoured the Goss Government's commitment to the work force. Some parts of the new award exceed the benefits provided under the old Electricity Supply Industry Award.

I pay tribute to union officials such as Dick Williams of the ETU, Lloyd Casey from the ASU and local union delegates such as John Clapham, Frank Scheers, Brian Clarke, Wayne Horn, Chris Belz, John Cooper, Chris

Cassandro, Chris Swift, Malcolm Linster and many others who have worked long hours to get this project together. They were very complex negotiations and I congratulate them all on the way in which they handled themselves in bringing these negotiations to a successful conclusion.

This project has been supported by the entire community, with the exception of a very few. I credit the people of the Gladstone/Calliope region with their perception that development with environmental sensitivity equals jobs which brings a better quality of life. Local councils, unions, the local development bureau and other community groups have all been behind this project.

The Boyne smelter is located in one of the most attractive industrial sites in the world, with the beautiful beaches and holiday areas at Tannum Sands on its doorstep. Of the 943 jobs that will be created by the project, 375 will be at the Boyne smelter, 306 elsewhere in the region and 132 elsewhere in the State. The 681 jobs that will come to the Gladstone region with the facilitation of this project will generate some $28m in wages. That is $28m that will be spent on local businesses, which will create further employment. During construction, the smelter project team plans to train local unemployed labour. That is a significant achievement. The project team has already been working with the CES to find out what type of labour is available. Where necessary, the project team will be training people. That will ensure that as many local people as possible receive jobs during the construction phase.

As most of the steel fabrication work is carried out outside of Gladstone, the project can be expected to involve a construction work force of 600 people in Gladstone and 2 000 people throughout the State. The completion of the smelter should result in the output of the Boyne smelter increasing from 230 000 tonnes to 460 000 tonnes of aluminium, which has been described as blocks of solid power. Because of the amount of power required to make aluminium, Boyne smelter requires its own power station.

Congratulations must go to the Premier of Queensland, Mr Wayne Goss, because this project has "Goss made" stamped all over it. The Goss plan for Gladstone has won him deserved accolades in the region. I congratulate the Cabinet on its will to recognise that jobs and quality of life are at the core of Labor's philosophy. I congratulate the Premier's Department and officers who have participated in the complex negotiation process. I also congratulate the Government on the quick action that it has taken to ensure that titles will be validated. For that reason, I ask the coalition to support the Mabo legislation when it is introduced. I ask its colleagues in Canberra to support the Senate, because we do not want any more delays. We do not want people outside of Gladstone delaying our future any further. The Opposition should get with it, and support it.

I personally support this project because of the immense benefits that it will bring to the Gladstone electorate. I support the Premier wholeheartedly in his pro-development stance in conjunction with environmental sensitivity. I also congratulate the Premier on his support for Gladstone's university campus, which will be a centre of engineering excellence. It will also contribute to industrial projects such as these. The expansion of the third potline for the Boyne smelter fits in with the Premier's light metals industry concept for Gladstone, which he has been selling worldwide. I look forward to the commencement of construction of the potline, due in June 1995, and the full production of the third potline by 30 September 1998. In conclusion, once again, I make all members aware that this project definitely has "Goss made" stamped on it.

Mr GILMORE (Tablelands) (12.53 p.m.): It was interesting to listen to a couple of the contributions from the Government benches, particularly that from the Minister without duties, who made a 10-minute contribution to the debate and then fled the scene. We are debating the sale of one of the State's most important assets, and the Minister responsible did not even have the decency to stay in the House for the duration of the debate. He spent the whole of his contribution looking for promotion. He said nothing very much.

Mr W. K. Goss: I am the Minister responsible.

Mr GILMORE: No, I was talking about the Minister without duties.

Mr W. K. Goss: No, you said, "the Minister responsible". That's me, and I'm here.

Mr GILMORE: I accept that. However, he is the Minister for Minerals and Energy, and I would have thought that the Gladstone Power Station would have come within his portfolio responsibilities. Nonetheless, it appears that that is not the case, and I am pleased to have that on the record of Parliament.

Clearly, the Opposition has supported the sale of the power station because of the benefits that will accrue to Queensland from it. However, I would like to canvas some of the

reasons why we need to sell this power station to Comalco. It goes on the record of Parliament that sovereign risk is one of the most important factors in the conduct of business in the world today. It does not matter whether it is in Queensland's jurisdiction or anywhere else. In the past, Comalco, being the owner of aluminium smelters throughout the world, has discovered, much to its chagrin and dismay, that although it believed it had an agreement with a particular Government, suddenly, whether as a result of a change of Government or a change of ideals, the rules changed and, therefore, that company has been exposed to sovereign risk, that is, the increase in the cost of power and, therefore, the viability of the smelting operation. That happened in two other jurisdictions of which I am aware. During my consultations with people from Comalco, they could not stress enough the need for certainty of supply and certainty of cost of supply. So when Comalco decided to go ahead and spend $1.8 billion—part of that being, of course, the purchase of the extra potline at Gladstone—it had the certainty of supply and cost. When it was factored together, Comalco was able to make sure that this very important introduction of funds and investment into Queensland was not going to fail somewhere down the track because this Government or a future Government was going to change its mind. I understand that, and I sympathise with it. I note that the Premier is nodding his head in agreement. I believe it is a very important point that the members of this Parliament understand the basic reason why Comalco wants to spend so much money on investment in this State.

However, a little bit of confusion exists in respect of the sale price of the Gladstone Power Station to Comalco. I refer to a *Courier-Mail* article of 27 October 1993 under the hand of Tony Koch. The headline reads, "US powerhouse deal. Cash ensures Comalco plan." The article states—

> "Comalco has attracted American backing to buy the Gladstone power station for $850 million, virtually ensuring the purchase."

I thought that that must have been a reporting error. However, lo and behold, on 21 August 1992, in a letter to the editor of the *Courier-Mail*, no less an eminent person than Mr De Lacy, the Treasurer of the State, stated—

> " . . . our selling price of $825 million."

I wonder who is paying the $825m. Is Comalco paying that?

Mr W. K. Goss: I will explain it when we wrap up.

Mr GILMORE: It is an important point.

Mr W. K. Goss: Do you want to talk about it now?

Mr GILMORE: Yes, I would be delighted.

Mr W. K. Goss: Well, the price is $825m, right? But there are some commercial issues that require further negotiation and, depending on how they pan out, the price goes up and down according to that. Some go the Government's way and some go the company's way. The net result will be an increase of 25 per cent in the price overall. I think that's a ballpark figure adopted by some journalists.

Mr GILMORE: So it is $825m. I am reading from a letter to the editor from Mr De Lacy.

Mr W. K. Goss: Yes, plus the adjustments.

Mr GILMORE: The editor's note stated—

> "The $500m 'deal' Mr De Lacy speaks of was the Ahern Government's negotiating start point. The present Government's 'sale price' of $825m included a $75m redemption from the Commonwealth."

Mr W. K. Goss: Yes.

Mr GILMORE: But that is not paid by Comalco?

Mr W. K. Goss: No.

Mr GILMORE: So I have that clear. There is a little confusion in reports about the sale. Quite clearly, Tony Koch had a view.

Sitting suspended from 1 to 2.30 p.m.

Mr GILMORE: Prior to the luncheon adjournment, I was developing an argument—and the Premier was kind enough to indulge me—to illustrate that one cannot necessarily agree with or believe all the things that are stated in the press from time to time. A considerable amount of misreporting and misunderstanding has accompanied this whole process from the time the sale was first mooted. I wish to extend the argument a little further.

Earlier, in this Chamber, the Premier was kind enough to agree that the sale price to Comalco was not the $850m that had been reported but that it was some kind of a formulation of that amount. The Premier said that the funds coming from the Commonwealth in respect of this sale are associated with the early retirement of loans. However, on 10 October 1991, the *Australian*

reported that the compensation was due to the State for tax revenue that would accrue in the event of privatisation of the power station. This shows that there has been some considerable misunderstanding surrounding the whole process.

I raise that point to put to bed once and for all the myth about a $500m offer. That myth has been very happily supported by Government members. When they were members of the Opposition, they were very happy to grasp that suggested sale price of $500m. I have put together some reports that were published at the time and since then to illustrate that it was nothing more than a myth and that the $500m was never an offer made by the Government but was, rather, an offer of purchase made by Comalco. It was Comalco's first bid in a long and technical negotiating procedure which is culminating in this legislation. It never was an offer by the former Premier, Mr Ahern, stating, "Yes, I will sell this power station to you for $500m." The myth began when the former Premier held a press conference in Gladstone. The very next day, the *Sun* carried the headline, "State bid to sell giant power station." The report stated—

> "The giant Gladstone power station may be sold to private enterprise in a $500 million deal.
>
> Premier Mike Ahern confirmed today the Queensland Government had been negotiating with aluminium producer Comalco over the sale of the station . . ."

Then, in the very next paragraph, the report went on to state—

> "Under the deal, Comalco will pay $500 million . . ."

That was where the myth began, and it was grasped happily by all of the people who were opposed to the sale at the time, including the press.

Mr W. K. Goss interjected.

Mr GILMORE: Not in the least. This never was the shallow promotion that has been suggested by the Government.

Mr Campbell: $825m is better than $500m.

Mr GILMORE: I take that interjection. The member for Bundaberg is promoting the idea of the $825m, but that is not the sale price. Today, the Premier told the House that it is not the sale price, but the member for Bundaberg wants to promote that. He is living in the past and he, in common with Goebbels, believes that if something is said often enough and long enough, somebody will believe it. The member for Bundaberg is trying to mislead the Parliament.

In the *Courier-Mail*, a Comalco spokesman, Mr Karl Stewart, stated that negotiations were still being finalised but that the sale price would be approximately $500m. Comalco stated that the sale price would be approximately $500m, and a representative of that company was trying to promote Comalco's position by suggesting what the purchase price would be. The article also stated—

> "Mr Stewart said: 'The station was built for between $500 and $600 million 12 years ago. We think paying $500 million for it now is more than fair.' "

Can any reasonable person in this Parliament really believe that from Day 1 of the complex negotiations in relation to this transaction, the Government of this State or any other Government would immediately accede if someone said, "We will give you $500m"? It would be foolish in the extreme to believe that.

Mr Bennett: Why did Bob Borbidge say the offer was $500m? Your own leader said that.

Mr GILMORE: He did not say that. He said that there was an offer of $500m. The member for Gladstone is also trying to mislead the House and live in the past. Only a short time ago, the member for Gladstone spoke during this debate and said that the price was $450m, and I can tell him where he got that from. On Tuesday, 2 December 1990, John McCarthy—a junior reporter at the *Courier-Mail*—reported—

> "The sale was proposed by former Premier Mr Ahern at a price of $450 million."

That is where the member for Gladstone got that figure from, and it is the only time that the figure of $450m has appeared anywhere. The member for Gladstone has grasped it and has treated it as the truth because it suited his purpose to do so. He could come into this Parliament and say, "Those dreadful people were going to sell our power station for $450m." That is absolute rubbish! The member knows that it is rubbish.

Mr Bennett: You can't rewrite history.

Mr GILMORE: The member should not come into this Chamber and peddle these types of lies, which is exactly what he did.

At some stage, the press began to show

some wisdom in relation to the deal. On 29 May 1990, in the *Australian Financial Review*, Murray Massey wrote—

> "In terms of sheer commercial opportunity,"—

the article was written in the context of rejection of the sale price and at a time when the negotiations had gone a little astray—

> "yesterday's rejection is a severe blow for CRA, which last year entered into negotiations with the former Ahern Government with $500 million as 'the starting figure' for the power station."

At long last, the message was beginning to get through.

Mr Bennett interjected.

Mr GILMORE: But not to the member for Gladstone because he is too thick and, anyway, he was not even a member of Parliament at the time.

Mr BENNETT: I rise to a point of order. I ask the member to withdraw that remark. I find it offensive.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! The Chair has a discretion, and the Chair does not find that remark offensive. The member for Gladstone will resume his seat. The member for Tablelands will continue.

Mr GILMORE: Thank you, Mr Deputy Speaker. The point I make is that there has been a lot of confusion throughout the whole process, and the veracity of much that has been written is very questionable indeed. I raise the point today because I want to nail to the floor once and for all the myth that Premier Ahern offered the power station at Gladstone to Comalco for $500m. The figure was mentioned as part of a negotiating package.

In Brisbane on 30 August 1990, at a time when the negotiations were not going very well, former Premier Ahern was referred to in a report in the *Sun*, which stated—

> "Former Premier Mike Ahern said today the failed Comalco bid for the Gladstone power station would already be underway if he was still holding the State reins."

I suppose that that statement is irrefutable. If the present Government had got off to a good start and had not simply sidelined this project because it happened to have a National Party brand on it, the deal would have gone ahead.

At an earlier stage in the debate, the Leader of the Opposition accused the Premier of having dithered for four years in relation to this project. That is absolutely true because, at the end of the day, the Premier has come to the same conclusion that the previous National Party Government would have reached four years ago. However, to return to the point I was making, I point out that Mr Ahern was reported to have said—

> ". . . the Government's refusal to budge on a $1 billion sale price for the project had resulted in a sad loss for the State.
>
> And he said a figure of 'somewhere between $500 million and $1 billion was justifiable.' "

The former Premier said that a figure of between $500m and $1 billion was justifiable, and what figure has the Government come up with? The Premier has stated that the figure is one that is just about in the middle of that range, save for the little bit that we are unable to work out. According to National Party members' estimates and the Premier's estimates, $750m is a perfectly justifiable price and the Opposition is not unhappy with it. However, the Opposition is unhappy with the peddling of lies from the Government side of the Parliament that continually promote the suggestion that the previous National Party Government intended to give away a power station for $450m or $500m, or any sort of figure at all. I point out to the Premier that that is not so, and the Opposition does not accept it.

In the late city edition of the *Courier-Mail* dated 31 August 1990, letters to the editor from former Premier Ahern and former Premier Cooper were published. They were written in response to an editorial published on the previous day that was not terribly flattering to either of them and, with the indulgence of the House, I will read them both into the record.

Mr W. K. Goss: We are happy to have you incorporate them.

Mr GILMORE: It is all too hard. Mr Deputy Speaker has not seen them, so I will just have to read them into *Hansard*.

Mr Borbidge: I think he should hear what they had to say.

Mr GILMORE: I think that the Premier should hear this.

Mr W. K. Goss: Instead of a speech, we've got to listen to you read newspaper clippings.

Mr GILMORE: My very word! After all, what did the Minister do? The Premier has said that he is the Minister responsible for one of the greatest assets in this State. It is part of a ministerial portfolio; the Premier is selling it; and the Minister is not even in the House.

Mr W. K. Goss interjected.

Mr GILMORE: The Premier made himself responsible for this matter because the Minister could not be trusted and because he is useless. The Premier knows that, and that is why he is sitting in that chair.

Mr W. K. Goss interjected.

Mr GILMORE: The Premier raised the subject. What did the Minister do? He delivered a prepared speech. He leaned on his lectern and, in his inimitable way, muttered through a speech by which he hoped to achieve nothing more than promotion for himself by brown-nosing to the Premier.

I want to read into the record the letters to which I referred. The letter from former Premier Russell Cooper stated—

> "I write in response to yesterday's editorial about the Comalco Boyne Island smelter project.
>
> To say I was 'caught out' by a memo which dealt with my request for a valuation of the Gladstone power station is demonstrating ignorance of the need to set parameters for the negotiating process.
>
> In any form of negotiation, there has to be a low ($500 million in this case) and a high ($1.1 billion)"—

which was, if members recall, the highest valuation proposed at the time. The letter continued—

> "In between is the figure which has to be acceptable in the circumstances, with all other matters taken into account.
>
> These include up to 1 000 jobs, $800 million capital development and $250 million a year in extra exports which would add at least a $6 billion positive impact on the nation's balance of payments over the life of the project, to name but a few.
>
> Also to be taken into account is the desire or need for a second-hand power station. Whoever owns it, Comalco or the Government, is up for a $200 million refit and there won't be too many potential buyers. This Government has lost many projects the National Party Government would not have lost—from China Steel to the multi-function polis. Projects such as these pay the bills and keep Queensland in the black.—Russell Cooper, Leader of the Opposition, Parliament House, Brisbane."

That was Mr Cooper's response. On the same day, Mike Ahern wrote—

> "Yesterday's editorial unfairly criticised me on the question of the sale of the Gladstone power station."

I want the Premier to listen to this. That letter continued—

> "At no time did I say I was prepared to sell for $500 million."

That is a clear and unequivocal statement of fact by the former Premier. I repeat that he stated—

> "At no time was I prepared to sell for $500 million. This was Comalco's offer only at that stage and was disclosed because people had a right to know that it was on the agenda.
>
> Some discount on valuation was always justified because of huge flow-on benefits of payroll taxation, stamp duties, royalties, electricity sales and technology.
>
> I resent the reflection on me in your editorial. To say I have been caught out by the disclosure of departmental valuations is nonsense and offensive.—Mike Ahern, Shelly Park, Caloundra."

Of course that claim was nonsense and offensive, because it was a lie. That claim was absolutely untrue. It was designed to promote this Government. Members of the Labor Party had absolutely no sensible reason to continue with the lie that it had promoted when in Opposition. This Government is bereft of truth. It would tell a lie if the truth would do. Even if the truth would get this Government out of trouble, it would still lie.

I deliberately took the action of participating in the debate on this legislation to raise the point that the National Party in Government was entirely responsible in raising this subject with Comalco and entirely responsible in the negotiating process. It just so happened that we were unable to complete those negotiations within the life of that Parliament. Nonetheless, there is no way that the then National Party Government—or any future National Party Government—would sell a power station such as Gladstone for $500m.

Time expired.

Mr VAUGHAN (Nudgee) (2.44 p.m.): The Gladstone Power Station, which has a total generating capacity of 1 650 megawatts, was opened on 17 September 1976. It has six generating units, each with a capacity of 275 megawatts. Initially, its planned capacity was 1 100 megawatts—four units—but, in September 1975, it was decided to increase

the number of units to six to meet anticipated demand in 1980, 1981 and 1982. Originally in 1972, Comalco took out two options for 320 megawatts of power from the Gladstone Power Station for a proposed aluminium smelter, but in January 1976 exercised its rights in respect to 320 megawatts only.

Because of the large amount of power they consume, aluminium smelters have, over the years, created problems for the State's electricity planners. For example, in March 1977, it was reported that Comalco was considering building a smelter in Gladstone. At Comalco's annual meeting on 22 April 1977, Comalco's then chairman, Mr D. J. Hibbard, said that Comalco hoped to make a decision on the smelter before the end of 1977. On 21 April 1978, it was reported that Comalco had decided in principle to proceed with the construction of a smelter in Gladstone.

In August 1979, Alcan Queensland announced plans to build a $250m smelter at Gladstone. On 28 August 1979, the *Courier-Mail* reported that Comalco had announced plans to double the size of its proposed Gladstone smelter, with the first two potlines producing in 1982 and the second two potlines becoming operational in 1983 and 1984. The report stated that negotiations on power requirements had been going on for some time between Comalco officers and a State Government committee, and Comalco wanted 720 megawatts of power from the Gladstone Power Station.

However, a report in the *Australian* on 28 August 1979 stated that the third and fourth potlines were anticipated to come into production progressively between 1985 and 1989. In October 1984, when construction of the first stage of the Boyne Island smelter was nearing completion, Comalco denied suggestions that its purchase of a $400m United States aluminium operation would mean the deferral of the expansion of the smelter. Comalco's then managing director and chief executive, Mr Mark Rayner, stated at the time that the timing of any expansion was always dependent on world aluminium demand.

In April 1989, it was reported that Comalco had set October 1989 as the deadline to complete feasibility studies on doubling the capacity of the Boyne Island smelter. In September 1989, the *Courier-Mail* reported that Comalco wanted to buy the Gladstone Power Station as part of its expansion of the smelter, and the then Premier, Mike Ahern, said that expansion of the smelter depended on the sale of the power station to Comalco. As we are all aware, the sale price was reported as $500m.

Comalco has argued that, because of bad experiences it has had in other places regarding power pricing, it wants to buy the Gladstone Power Station to obtain security of supply, availability and price of power. Of course, this is not the first time that Comalco has sought to have its own power supply. In 1981, the State Electricity Commission sent out more than 200 copies of a tender registration document to companies around the world that may have been interested in building a $1,000m private power station. In November 1981, it was reported that Comalco had submitted a proposal to the Government to build a power station in the Bowen region.

In answer to a question I directed to him on 2 December 1981, the then Premier advised me that Comalco had submitted a proposal to build an 800 megawatt power station in the Bowen region on sites to the south and west of Bowen. He said that timing of the project would depend on the outcome of detailed investigations into the future world demand for alumina and aluminium, and such investigations were not expected to be completed until 1982. Comalco, of course, operates its own power station at Weipa, and Mount Isa Mines operates a power station at Mount Isa that supplies power to Mount Isa and the surrounding area via the State grid.

In June 1981, at the time the Government was considering allowing private enterprise to build and operate power stations to supply the State system, I voiced my opposition to such a proposal, but I said that industries that required huge amounts of electricity should be required to build their own power stations. In September 1989, when I heard that Comalco wanted to buy the Gladstone Power Station to supply the expanded Boyne Island smelter, my first thought was why would not Comalco want to buy the Callide B Power Station, which was virtually brand new and which would meet almost all of the smelter's power consumption. At the time, I reasoned that both power stations were worth about $1 billion each, notwithstanding that the then Government was reported to be looking—and I repeat: "reported"—at a price of $500m for the Gladstone Power Station. Having a fair idea of what Comalco was paying for power, I also could not see how it could be any cheaper if it owned the power station. However, Comalco has obviously done its sums, and since 1989 the sale of the Gladstone Power Station has been the subject of protracted negotiations.

As a result, we have before us a Bill which represents the outcome of those negotiations.

The Premier outlined the provisions contained in the Bill. Comalco is to pay $750m for the Gladstone Power Station. The State will gain a further $75m from the Commonwealth Government by way of forgiveness of concessional loans raised for the construction of the power station, and Queensland will secure approximately $1.8 billion of private investment. The two existing potlines at the Boyne Island smelter will be upgraded, and a third potline will be added, taking the smelter's capacity from 230 000 tonnes to 460 000 tonnes by early 1998. Importantly, 943 new permanent jobs will be created, 681 of which will be in the Gladstone area.

The Bill provides that, in accordance with the provisions of the Electricity Act, a licence will be issued to the owners of the Gladstone Power Station to enable them to operate. However, although the Bill prohibits the Queensland Electricity Commission from fixing or controlling prices or methods of charging for electricity supplied under the licence, it does not prevent the commission from negotiating prices or methods of charging. In the Schedule to the Bill, reference is made to an interconnection and power pooling agreement which, as defined, will spell out the terms under which the Gladstone Power Station will supply power into the State grid and the Boyne Island smelter will receive power from the grid. That agreement is, of course, very crucial to the whole exercise because of the amount of power that the smelter will require when it is in full operation—that is, 786 megawatts.

Although the amount has been quoted as 786 megawatts, for the purposes of this exercise 725 megawatts will suffice. Theoretically, that would leave 925 megawatts that could be fed into the State grid. However, because of maintenance, breakdowns and other reasons, the power station is unable to deliver power at its full capacity constantly. As, according to the latest Queensland Electricity Commission annual report, Gladstone Power Station's availability last year was 85.9 per cent, that would theoretically leave, on average, 692 megawatts available to be fed into the State power system.

However, because there must always be a reserve for the power to the smelter, the State system cannot rely on receiving that amount of power continuously. For example, if the station were suddenly to lose one unit—275 megawatts—because the smelter load has to be maintained, the amount of power being fed into the State grid would have to be reduced by 275 megawatts. Ownership of the Gladstone Power Station will, no doubt, give Comalco security of supply, availability and price of power. However, under the interconnection and power pooling agreement, the price that is paid for power supplied into the State grid from the Gladstone Power Station should reflect the conditions under which that power is supplied. The price of power that may have to be supplied to the smelter from the State grid should be determined similarly.

The Bill gives the State the right to reacquire the Gladstone Power Station if the third potline is not in operation by 30 September 1998. Although reacquisition rights exist until 1 April 2001, by that time the Gladstone Power Station will be 25 years old and by normal standards—and I emphasise "normal standards"—will be approaching the end of its operating life. Under the terms of the sale agreement, Comalco is to commence construction of the third potline by 30 June 1995 and have it in operation by 30 September 1998. By that time, Comalco would have been operating the power station for four and a half years, supplying approximately 1 000 megawatts a year into the State grid. If, subject to force majeure as defined in the Bill, the smelter is not completed on time, Comalco could continue to operate the power station for another two and a half years under the terms of the reacquisition provisions of the Bill.

Rather than providing the right to the Government to reacquire the power station if Comalco does not proceed with the construction of the third potline, I would have thought that provision of a monetary penalty which was related to the amount and price of power supplied by Comalco into the State grid would be a better proposition. Such a penalty could ensure that the State did not sustain a monetary loss through the sale of the power station if the benefits to the State from the third potline did not materialise. For example, if for some reason other than force majeure the construction of the third potline is not started by 30 June 1995 or is not completed by 30 September 1998, Comalco would have been operating the power station at the same rate of return as the Queensland Electricity Commission for that period. That would represent a loss to the State but a gain to Comalco.

As from 30 September 1998, if the smelter is not fully operable—that is, if the

third potline has not been installed and operating—the State can set about negotiating the reacquisition of the power station. Under the provisions of the Bill, the State has the exclusive right of reacquisition until 1 April 2001. So a situation could exist subsequent to 30 September 1998 in which construction of the third potline could have been started but not completed, giving the State the right to reacquire the power station. However, I could imagine that, should such a situation occur, the State would be hesitant to proceed with reacquisition and Comalco would be most reluctant for that to happen.

Then, of course, there is the possibility that, come 30 September 1998, construction of the third potline has not even commenced. The State would then have just grounds to proceed to reacquire the power station, as the Bill says, on terms to be agreed between the State and the vendors, whoever might own the power station at that time. The question is: under the provisions of the Bill, does the State have until 1 April 2001 to initiate reacquisition of the power station or must reacquisition be completed by 1 April 2001? I understand that the position is that negotiations for the reacquisition can go beyond 1 April 2001.

Of course, come 1 April 2001, Comalco would have been operating the power station at the same rate of return as was the Queensland Electricity Commission for just over seven years. That is why I would like to see the imposition of a monetary penalty if the third potline does not proceed as provided for in the Bill. Although I sincerely hope that expansion of the smelter proceeds as planned for the good of the State, I do not want to see the State suffer a substantial loss if, for some reason or other, the smelter does not proceed as planned. However, if construction of the smelter has not even commenced by 30 September 1998, I believe the State would also be justified in demanding that the interconnection and power pooling agreement be terminated forthwith and renegotiated. No doubt, there are provisions along that line in the interconnection and power pooling agreement. If perchance the smelter is constructed and in operation by 30 September 1998 in accordance with the terms of the sale agreement, that will mean 386 megawatts less that could be supplied into the State grid by Comalco. The Queensland Electricity Commission would have planned the State's power system accordingly. However, as I said at the outset, aluminium smelters create problems for the State's electricity planners.

Comalco is getting a very good deal. Comalco has acquired the largest power station in the State—a power station which, last year, supplied 29.6 per cent of the State's power on the grounds that it could not or would not proceed with the construction of the third potline at the Boyne Island smelter unless it was able to buy the power station. All through the negotiations for the sale of the power station to Comalco, Comalco has used the construction of the third potline as its bargaining chip. With the passing of this legislation, the ball will be in Comalco's court, and it is up to Comalco to honour its commitment to the State.

Mr FITZGERALD (Lockyer) (2.59 p.m.): I join Opposition members who preceded me in the debate in saying that the Opposition supports the legislation for the sale of the Gladstone Power Station. Some Government members have expressed concern that the Opposition has not always been supportive of that type of legislation. In my shorthand scribble, I took down part of what the Minister for Minerals and Energy said in his speech. I have written—

> "It should be, for the Opposition, a day of shame. The Opposition placed obstacles in the way of the project."

When Mr McGrady, the Minister for Minerals and Energy, said that, I thought, "What obstacles did the Opposition place in the Government's way?" I listened with bated breath for an example of that. Not one example was given in the Chamber.

The Leader of the Opposition said that the Opposition supports the legislation. In a briefing by people from Comalco the Opposition was told that Comalco was appreciative of the Opposition's not interfering in the negotiations when they got to the technical stage. The operation is a commercial one, and it is very difficult for outside people to make comments when the negotiations are at a commercial level. The Premier must realise that the Opposition did not try to muddy the waters. We were in favour of the principle of the concept.

I remind the Minister for Minerals and Energy that I asked the Leader of the Opposition whether there was any indication that the Comalco people believed that the Opposition were getting in the way of the commercial operation.

A Government member: Yeah, you were.

Mr FITZGERALD: I do not know which member made that interjection. Government

members are silent now, but one them interjected that we were getting in the way of business. I asked the Leader of the Opposition if the Minister had any justification for saying that. The Leader of the Opposition advised me that he had attended a function at the Cairns Amateurs race meeting that was sponsored by CRA. All honourable members will know that CRA is a major player in Comalco. He said that a senior executive of CRA paid a tribute to him and the rest of the Opposition for the support that was given to the sale of the Gladstone Power Station. That conversation occurred in front of the Treasurer. The Minister for Minerals and Energy says that the Opposition has been throwing every possible obstacle in the way of the sale of the Gladstone Power Station. However, a senior executive from CRA has paid a public tribute to the Opposition at the Cairns Amateurs function. The Treasurer was present at that function. I ask the Premier to advise his Minister to check before he makes his views known.

An Opposition member: Do his homework.

Mr FITZGERALD: The Minister should do his homework and get the story right. He made the accusation but did not cite one fact in support of it.

The Minister had some difficulty with the philosophy of the State selling off an asset to a private company. The previous speaker—a former Minister for Minerals and Energy—gave members a lesson on the history of the Gladstone Power Station. I thank him for that. He should have also advised honourable members that he had great difficulty at the time the sale was proposed. The reaction of the former Minister, along with the member for Gladstone—who was a member of the ETU—was one of shock/horror when the sale was proposed. He was an operator at the power station. There was a lot of opposition to the sale—natural opposition—from workers and the ETU at the time. I can understand that opposition.

The Government should not say that the Opposition is opposed to the sale. Most of the opposition came from the Government's own colleagues on that side of the House. That opposition is understandable. It is quite acceptable that it should come from that side of the Chamber. The concern was that some operator from another country would come in and operate the power station to make a profit—a profit for private enterprise. That is a shock/horror statement from the Government. It is hard to put sarcasm into *Hansard*, so I had better not use it. I am amazed that the Government should find "profit" a dirty word. NRG, the chosen operator of the power station, comes from Minneapolis, USA. It has vast experience with power stations. This competition will present a great challenge to our other power stations. I believe that the Queensland system is operating quite well, but it is good to have another operator involved to see what improvements can be effected.

I understand that the power station does need extensive refurbishing at the present time. I understand also that no substantial amounts of money have been spent on that power station over a number of years—at least the past four years, anyway—since this Government took over negotiations. The station needs to be refurbished now. To have a life of 35 years—I think that is what the smelter line is programmed to do—obviously it will need refurbishing half way through that period. One interesting point will be the operational problem of how the Gladstone Power Station will be fitted into the State grid. All honourable members know that the Bill contains quite a few clauses that show how it will do that. My understanding is that one-third of the power generated at the station will go into the State grid and the other two-thirds will go to the Boyne Island smelter.

The previous Minister for Minerals and Energy, the member for Nudgee, indicated that the power station had an 89 per cent availability. He then worked out from that how many megawatts of power would be transferred into the State grid. It does not work that way, because "availability" does not mean that power is generated for so many minutes and then not generated and then generated for so many more minutes. It means that production of power is lost; therefore, there is a need for back-up.

As far as world standards are concerned, the power station is quite acceptable. However, it is important that it remains part of the State grid. All members know that it is absolutely impossible to run a smelter line with only one power station. Back-up has to be available. The relationship between a private enterprise power station and the State grid will prove to be very interesting. I am a strong advocate of seriously considering private power stations entering the State grid at certain stages. I think that needs to be considered, although I do not say that it will be economically viable. Members know that with its great assets the electricity industry can borrow at very low rates of interest. It is also known that the interest on capital is one of the

major costs in operating a power station. It is not just the cost of fuel and labour, it is also the cost of interest. Of course, Governments throughout the world can generally borrow at lower rates of interest than can private enterprise. That is a fact of life.

Let us take an example of what happens in other countries. In the United States of America, private enterprise supplies power to the national grids. Any generator of electricity has the right to supply power. The price structure is set up in such a way that if an operator becomes unreliable, a very low price is paid. If an operator is willing to supply during peak periods, a very high price is paid. If an operator is on demand to come in at peak periods, a very high price is paid, but if just a base load is being supplied, then the price is very low. Any number of private enterprise operations can supply the national grid in the United States of America.

The system in Europe is amazing. There is now a network of power grids that run from England to Norway, right over as far as Greece and through to Bulgaria and some of the other eastern European countries. There is one power grid, and each of those countries supplies that power grid. The form is of the same type as the American form. However, each of those countries maintains its own integrity. While each sovereign State is connected into the European grid, it retains its autonomy—it is not part of an overall European grid.

Of course, that is a great advantage because in the winter months the southern power stations are all fired up and all the power goes north. In the warmer months, the load goes south. There is a spread across Europe with the peak demand being spread across a number of countries. That means that each country participates in this scheme and each country benefits from much cheaper power overall.

There is even a big DC cable under the English Channel. Because AC power could not be sent under the channel, it was converted to DC power and sent through a big DC cable under the channel—a massive copper pipe, I understand. So England and France now share electricity. I am saying that when we talk about a national grid in Australia—and we are talking about private enterprise coming into it—I believe that we should certainly connect with the other States; however, State autonomy should be maintained. We should not sell all of our electricity industry to a national authority. We must maintain our integrity; we must retain our rights. However, if there are benefits for this State in selling power interstate and bringing power from interstate at times, it should be done.

I look forward to the day when a private enterprise power station is operating in Australia and supplying a base load into the system so that we can all enjoy cheaper electricity. I think it is important that the trade union movement, particularly the Electrical Trades Union, realises that competition is the heart of our society and that unless we are willing to face the competition, then all the users of electricity will not receive the benefit of lower prices.

This Government has set up the electricity industry as a milch cow. I know that term has been used by a lot of people. I cannot think of a better example. It has been indicated that, in January 1995, the Queensland electricity industry will be corporatised. An income tax equivalent will be paid on the profits, and that will go to the State consolidated revenue. Also, up to 100 per cent of the residue could be paid to the State. The Minister keeps saying that the shareholders in the electricity industry will receive a dividend. The shareholders in the industry are the consumers. The State does not put money into the electricity industry. The electricity industry borrows its own money and the consumers pay the tariffs to pay off that interest in redemption.

It is trite for the Minister to say that the State owns that asset. Of course, it controls that asset. But the electricity consumers should get benefits, not the State, which would use the revenue for other purposes. That would be completely wrong and immoral. I will keep correcting the Minister, wherever possible.

In summing up—the Opposition is very disappointed that the Minister for Minerals and Energy should attempt to say that the Opposition has been placing obstacles in the way of this deal before the House today. I have seen no indication from anyone that we have been opposed to it. The Minister came up with no examples whatsoever. This indicates that he does not have a grasp of the issues before the Parliament. He just wants to play a cheap, dirty political game. It is a day of shame for the Minister.

Mr Gilmore: Typical hollow rhetoric.

Mr FITZGERALD: As the member for Tablelands says, it is typical hollow rhetoric, which we are used to hearing all of the time. I think the Minister has lost the plot.

Mr BARTON (Waterford) (3.12 p.m): I support the legislation because it creates a large number of jobs and it creates a significant amount of investment in this State. A figure of $1.8 billion has already been mentioned. The sale of the Gladstone Power Station secures the supply of electricity to the Boyne smelter for Comalco and its partners. It secures the price of electricity to the smelter and it avoids the problems that have been seen in other States, and certainly in other countries—not only those in which Comalco operates but also those in which other large aluminium companies operate. The problems arise from the pricing policy for electricity for those smelters.

That has occurred in Victoria with Alcoa, particularly at the Portland smelter. People believed that Alcoa was not receiving a fair crack of the whip through an unfair electricity pricing policy. Also, from the negotiations with Comalco in which I have been involved during my previous employment, I know that it was very concerned that Governments had the right to set policies for the pricing of electricity. It accepted that. It experienced a similar situation in New Zealand at the Bluff smelter. It wanted the capacity to have its own electricity generation and the capacity to ensure that the policies for the pricing of power from its smelter was fair.

I turn now to securing the supply of electricity to the Boyne smelter. The importance of this was mentioned this morning by the Leader of the Opposition. He seemed to be implying that that was not really understood by the trade union movement of this State. It is certainly an important issue for the operators of any potline. At least the Opposition Leader correctly said that a potline is very difficult to dig out—it is not just that it gets dirty; if the whole potline is full of solid aluminium, it is a massive job to clear it.

I would like to remind people that, during the days of the 1985 SEQEB dispute which, thankfully, is a long way behind us now, the trade union movement in this State was constantly in contact with Comalco—and it, in turn, with us—because it was terrified that the Boyne smelter, at that time of very low aluminium prices, could have been frozen. Its view was that if it were frozen, it would never be reopened. We certainly worked very hard to ensure the supply of electricity to that smelter. We achieved that in those difficult times.

By comparison, I want to put on the record what was being said to us at that point. The Premier of the day, Sir Joh Bjelke-Petersen, was saying very blandly to Comalco, "I don't care if your smelter does freeze over, if that's part of the price that we have to pay to get these unions." That was the attitude of the National Party at the time. The honourable member for Gladstone is aware of that, because of his involvement at the Gladstone Power Station. I want to reinforce that the members on our side of the House, both in their previous employment and as members of the Government, are committed to ensuring that the continuity of the electricity supply is maintained to the Boyne smelter, and certainly an expanded Boyne smelter.

Because of my interest in the large number of jobs that the sale of the Gladstone Power Station will generate, I will repeat some of the figures that have been quoted. The 943 direct jobs in the operations of the smelter are important. The Minister for Minerals and Energy talked about the other jobs—some 2 000 inside Gladstone itself, because of the multiplier effect, and some 400 elsewhere outside of Gladstone. In this day and age, they are very significant numbers of new jobs. Members of the Government are aiming to ensure that all of the parameters are met to allow this sale to proceed. A large number of construction jobs will be created over the years that the third potline is under construction. From my experience with projects of that nature, it is usually well over a 1 000 jobs for a number of years for a project of that size. If this is to occur—and I am very confident that we will see that third potline built and that the power station will change hands to Comalco and its consortium—we are also likely to see, ultimately and not too far away, a new alumina plant.

That will also mean extensions to the mine at Weipa. It will generate the critical mass that will ensure that investments in other metal plants occur in Gladstone, particularly in the light metals area. This has been mooted, and the Premier spoke about this on his return from Asia. It will help to provide that critical mass, so that other major manufacturers and investors will be able to see that there is a very strong commitment from this Government and from this State to ensure that Gladstone does become the light metals capital of the world. That will, in turn, lead to major manufacturing in automotive components and aircraft components over the medium to long term.

Another factor makes me want to support this legislation very strongly. In a Matters of Public Interest debate in October, I referred to the Wik people's claim. We really need to ensure that all of these parameters are resolved. This will ensure the future viability of

Queensland Alumina Limited's alumina plant and the Weipa mine. We should not lose site of the fact that, unless we continue to get the new value-added industries—the downstreaming of the aluminium—we run the risk that as those plants get older they will not have major capital investment put back into them. We could ultimately lose QAL and production from the Weipa mine to major overseas mining companies.

I will return to some of the specifics in the Bill. Naturally, because of my background in the trade union movement, I am particularly keen to see the resolution of certain issues. Part 5 of the Bill permits changes to the Queensland Electricity Supply Industry Employees' Superannuation Scheme to extend its operations to the people who are no longer employed in the electricity industry but who are employed by the new generating company. The Bill applies that scheme to the new participating employer under appropriate regulations that have been determined.

The new owners of Gladstone Power Station, Comalco and its consortium, may become an employer under the scheme. That is important to the people in the industry who are currently employed at Gladstone Power Station. It will ensure their continuity in that very good scheme, about which I will speak shortly. The Bill also redefines the part that the Queensland Electricity Supply Industry Superannuation Board will play in facilitating this change. It is important that these changes be carried out correctly.

Another provision that is very important to the employees of the industry and the current employees of the Gladstone Power Station is clause 26. That clause will ensure that at the changeover those employees will be provided with certificates outlining their entitlements. It is very similar to any transmission of business that takes place in the commercial world. Clause 26 spells out that those entitlement certificates have to be given to the employees. The certificates will cover such things as annual leave, long service leave and their entitlements in the superannuation fund. It is also very important that those certificates be issued correctly. The clause provides for mechanisms to allow them to be corrected if, in fact, any error does occur.

As I have already mentioned, the current employees may remain in the Queensland Electricity Supply Industry Employees' Superannuation Scheme. That is a defined benefit fund. Once the employees transfer to the new employer, they can also transfer their benefits in the fund. The Queensland Electricity Supply Industry Employees' Superannuation Scheme is a very good scheme. It is a fully funded scheme, as is the case with all of the other State Government public sector schemes. It is actuarially very sound. It is administered excellently by the Director of the Queensland Electricity Supply Industry Employees' Superannuation Scheme Office, Errol Hay, and his team. They answer to the board, which is currently chaired by Bob Hendricks, who is well-known to many members of this Parliament. So I can understand why those employees would want to remain as members of that scheme.

The Bill also provides that employment conditions will not be set by the Queensland Electricity Commission. Once the transfer takes place, the employment conditions for those employees will be set either by negotiations with the new employer or by the State Industrial Commission, if agreement cannot be reached. All of the typical employment conditions, including salaries and wages, are being negotiated right now and have been virtually resolved through the extensive negotiations that have taken place not only between this Government and the electricity industry, with the unions acting on behalf of the employees, but also with Comalco and its consortium. As I say, those negotiations have been most extensive, and I was pleased to hear earlier speakers pay tribute to the way in which the union movement has conducted itself right throughout this process. The negotiations have been three-way negotiations. When the sale is completed, it will be the responsibility of the work force and the unions to negotiate with the new owner in respect of salaries and conditions. To date, a great deal of progress has been made in that respect.

The work force and the unions are in agreement on this sale. Certainly, there was the apprehensiveness to which other speakers have alluded. The sale of a major public asset, such as the largest power station in the State, with all of the implications that go with that, is certain to cause some concern. It is a power station that directly employs hundreds of people. However, overall, the union movement supported that sale, provided that the deal was right. Certainly, some unions were more apprehensive than others at the time of the announcement and at the time of the negotiations. Others were much more in favour of the sale. The unions who hoped to gain from having many more members employed at Boyne smelter were much more in favour than those who were concerned that

their members may lose their jobs or conditions. However, from the very beginning, overall, the trade union movement of this State supported the sale of the Gladstone Power Station, provided that the deal was right.

I will talk about that in a little more detail. When the price of $500m was being mooted, the deal was not right. The deal that has now been struck is appropriate.

Mr FitzGerald: What was the deal then?

Mr BARTON: For the benefit of the member for Lockyer, I will refer to it. I was the Acting Secretary of the Trades and Labor Council of Queensland on the day that Mike Ahern made the announcement in Gladstone. Representatives of Comalco rang me several hours before that announcement was made. They wanted the trade union movement to be aware of what was being proposed so that the genuine concerns of employees could be answered very quickly. I have a clear recollection that what was said to me by the representatives of Comalco on that day was that the deal was $500m firm. I took very careful note of what the then Premier, Mike Ahern, said to the press that day. It was very clear that the then Premier said that the amount was $500m.

For the benefit of the member for Lockyer, I point out that in my former job I was also involved in many of the early negotiations. In those discussions, Comalco made it very clear to me that it believed that it had a deal with the previous Government for $500m and that, as far as it was concerned, that was a fair price to which this Government should be bound. I nail home that point because some people are trying to pretend that they were not prepared to sell this power station for $500m. Let me assure the House that they were prepared to sell it for that sum.

In returning to the subject of the negotiations, I point out that most of the concerns of the union movement on behalf of its members, the employees of the Gladstone Power Station, have been overcome. Once the sale goes through, it is no longer the responsibility of the Queensland Government. Negotiations to settle the new wages and conditions are virtually concluded and have been making very satisfactory progress. The position is that the deal is correct. The unions have been constructive and positive throughout this process. They have also been extremely cooperative and they have obtained a good deal for their members.

I refer to the comment made by the member for Lockyer that the Government has been running the power station down. That is not correct. I have been very reliably informed that in the immediate past $42m was spent on upgrading the control systems in the power station and there has been extensive retubing of the economisers on all of the boilers, which is a major job. The international industrial assessors from the United States remarked on how well the Gladstone Power Station has been maintained. They found the Gladstone Power Station to be extremely well maintained. I place that on the record in answer to some of the comments made by some members of the Opposition.

This legislation is good legislation. It will ensure major investment in this State. It will create significant numbers of new jobs. It will send a strong message to all other potential investors in major projects in Queensland of this Government's commitment to investment and its commitment to development in this State. It will be good for Gladstone and for all of Queensland. I support the Bill.

Mr NUTTALL (Sandgate) (3.28 p.m.): I rise in support of this Bill. I will address two aspects of it. The first is the valuations that have been spoken about at length in the debate and to which I will return later in my speech. The other aspect that I will touch on, and which has been touched on by the member for Waterford, is the issue of conditions of employment for the employees.

In his second-reading speech, the Premier mentioned that there were four prime aspects of the Bill and, of course, one of those was the conditions for the employees of the power station. When the sale is effected, the bottom line is that the power station has to run and run effectively not only for Comalco but also for the consumers of this State. Prior to the completion of this sale, the Government has undertaken vital steps to assure the affected employees that conditions will not be eroded in any way, shape or form. It is our aim to make the transition as equitable as is possible for all parties involved in this transaction. This Government accepts the obligation to provide the necessary mechanisms which will complement the negotiations currently under way between the employees and the purchaser. Pleasingly, all of these provisions have been set out clearly in this Bill.

A number of the provisions of this Bill have been inserted to recognise the current conditions of employees at the power station and, most importantly, as has been said, to preserve superannuation entitlements. Those

provisions will complement the final aspects of the employment contracts. Therefore, the employees should feel very confident that this Government is taking steps to ensure that their conditions will not suffer as a result of the sale of the power station.

Members would recall that, prior to 1989, industrial relations at the Gladstone Power Station were probably at an all-time low. Actually, industrial turmoil at the Gladstone Power Station was probably worse than at any other power station in the State. It was only after Labor came to Government in 1989 that it managed to turn that situation around. The Labor Government not only managed to turn around the industrial relations problems at the power station but also it managed to reach agreement with the trade union movement, particularly in the electricity industry, in relation to a continuity of power supply agreement. Since this Government came to office, no power has been lost in this State as a result of industrial action. That is a great credit not only to the Government but also to the work force and to the union movement. Of course, negotiations with this power station have been going on for some time. They have been very delicate and, despite a number of adversities, we have managed to work our way through them. We now have a transition period coming up during which the power station changes from being a Government-owned power station to a privately owned power station. I am sure that that transition will go very well.

Of course, the main thing that must be borne in mind is the whole issue of why the power station was sold—jobs for Queensland; jobs, jobs and more jobs. This morning, during the Matters of Public Interest debate, members heard criticism of the Government's Jobs Plan. If it was not for this type of sale and this type of approach by this Government, things would be far worse. It has only been through such mechanisms that this Government has managed to continue to create jobs in this State.

I refer to comments by the member for Tablelands and the Leader of the Opposition regarding the valuation of the power station. The Leader of the Opposition tried to put forward the argument that the price of $500m, which is what the station would have been sold for in August 1992, is better than the $750m that we are receiving now for the power station. Basically, his argument was that if the power station had been sold in 1990 with the $500m being received over a four-year period and invested at about 14 per cent, we would now have received $844m for the power station. That logic does not work, because the earnings of the Gladstone Power Station over the same period—not just the worth of the station, but its actual earnings over that period—have not been considered.

In 1992, Deloittes estimated that, on average, the Gladstone Power Station earned a taxable income of $62m a year, or $288m over that same four-year period. The Leader of the Opposition has put forward a figure of $844m. If the earning capacity of the station over that same four-year period, which is $288m, is deducted from that amount we would arrive at a figure of only $557m. That figure is still well short of the actual price that this Government has managed to achieve. That figure of $557m is significantly less than the $750m which will be received, plus the other $75m that the Government should pick up from the Commonwealth. So the argument that has been put forward of selling the station earlier does not hold water. All I can say is that the price that this Government has managed to achieve for this station is a fair and equitable price not only for the citizens of Queensland but also for Comalco. I think that it augurs well for the future of this State.

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (3.35 p.m.), in reply: I thank all members for their contributions to the debate and, in particular, I would like to thank the Opposition for its support for the legislation and its intention to vote in favour of it. However, at the outset of my reply, I should give credit where credit is due; that is, to the officers of the Queensland public service, and other consultants who were engaged, and who have put in a year—varying from person to person—of very difficult, very complex work, to bring off this agreement. In particular, I give credit to Dr Craig Emerson; Mr Erik Finger of my department until his illness; and Mr Graham Francis and Mr Paul Woodland from my own office who played an integral link role in keeping me abreast of the issues and in ensuring that I was able to intervene in the negotiations and discuss matters with senior Comalco representatives at key stages of the negotiations. I also include in that group the whole of the GPS team—too many people to mention—led by Mr Neil Cusworth. I express my appreciation to all of those people for what was an outstanding effort that has reaped great benefits for this State. It is not just a very large deal by Australian and world standards; it is one of the most complex deals taking place at the moment. It is to the credit of all of those people that they were able to pull it off.

On the other side of the fence, I extend my appreciation to Comalco for its patience, its tenacity and its continuation with the negotiations through difficult stages. I extend my appreciation to Mr Nick Stump, Mr Frank Gilletto, Mr David Carland and, of course, Mr John Ralph, the head of CRA with whom I engaged in discussion on a number of occasions in Brisbane, Melbourne, Perth and Tokyo. I forget any other places in which I engaged in discussions with him, but certainly there were extensive discussions at various difficult stages of the negotiations, and this is the result that we have before us today.

I will now deal with the contributions in some more detail, in particular that of the Leader of the Opposition. He had a series of criticisms and complaints about the Government, most of which we have heard before. However, he concluded by saying that it is a reasonable agreement, and the Opposition would support the legislation. We appreciate that. There were a number of references to the alleged delays by the Government, and how it took four years to present the legislation to the Parliament. I think that portrays a fairly basic misunderstanding, a fairly basic lack of appreciation of the complexity of the deal, which the Leader of the Opposition has displayed from time to time over the last couple of years when he endeavoured on a number of occasions to frustrate or derail the negotiations at various sensitive stages of those discussions.

The other point that he made was that if the Gladstone Power Station had been sold at the National Party's price of $500m, then Queensland would have been in the same position or better off. The member for Sandgate, who has been a member of this House for a lot shorter time than the Leader of the Opposition has been a member, was able to demolish that argument very quickly. I commend him for that, and agree with his analysis of the shortfall in the argument put forward by the Leader of the Opposition in terms of the calculation of the interest rate and the failure to take into account the earnings of the power station as calculated by Deloittes.

The Leader of the Opposition also claimed that a real problem during a significant stage was an objection by sections of the Labor Party to privatisation, which caused the Government to pull back from negotiations. I can assure the House that that is not the case. The facts speak for themselves. Very early during this Government's first term, the decision was made by Cabinet to sell. The reason for pulling back from negotiations was that the Government was going to require a fair price for the taxpayers of this State, which is what we eventually received. We were not prepared to start at the bargain basement price of $500m, which had been floated in late 1989 more out of circumstances to do with internal problems in the National Party than in the interests of this State. We also heard a diatribe about corporatisation. I fail to understand the relevance of that topic to this particular debate, so I will pass on.

In concluding his remarks, the Leader of the Opposition also made the point that Gladstone was only one of several options in the world for Comalco, which is exactly this Government's point. The fact is that, in terms of several options open to Comalco throughout the world, the company decided to stick with Queensland because Queensland was the best option, and so was dealing with this Government in getting the result that it wanted. On the argument advanced by the Leader of the Opposition himself, the Queensland Government was the best option in the world. The bottom line is that the previous Government could not, and did not, deliver. After a year's hard work, this Government has delivered.

Mr Borbidge: After four years.

Mr W. K. GOSS: The detailed negotiations have been going on over the course of the last year. Prior to that, there was a shorter period of negotiation leading up to the agreement in principle. Prior to that, there was a breakdown in negotiations because this Government was not prepared to sell at the National Party bargain basement prices.

With the Leader of the Opposition's usual breathtaking capacity to misquote facts and history, in dealing with native title he said that the Government had failed in its request of the Federal Government for the introduction of validating legislation or specific validating legislation. The Queensland Government's request of the Federal Government was to have either specific or general validating legislation—we did not mind which—and it was given validating legislation in respect of title, which was one of the two options requested.

The Leader of the Opposition also mentioned the guarantee in respect of QEC's credit rating. QEC has an excellent credit rating, which is currently AAA. All this Government has done is guarantee to maintain the standing in respect of its credit at the A level, which I do not think will be a problem. I think it was reasonable for the

Government to give an assurance, and that is what the Government has done. The private sector and the company have received the assurance that the Government will maintain its policy of delivering a high level of creditworthiness on the part of QEC in terms of its capacity to meet its obligations.

The Minister for Minerals and Energy and member for Mount Isa, Mr McGrady, rightly emphasised the careful planning which was part of the project and the benefits associated with it in terms of jobs. Beyond jobs, there will also be significant growth and significant opportunities that will be created, such as further processing and industrial activity in this State. He refuted claims made by the Leader of the Liberal Party in respect of the sale proceeds and pointed out the requirement to reduce debt from the proceeds rather than put the funds into some recurrent area of expenditure, which was the novel proposition advanced by the person who goes by the title of shadow Treasurer in this Parliament. The Minister also gave credit where credit is due to the trade union movement for the mature approach it adopted in relation to the difficult decision that had to be made. The position was one in which there were initial objections, but, ultimately, the trade union movement assisted the progress of the transactions.

The Deputy Leader of the Coalition repeated a number of the arguments that had already been advanced by the Leader of the Opposition, so I will not deal with those again. I have dealt with the claims made by her in respect of the Budget. She also raised a general concern about Queensland's economy because of what she referred to as the "tax-and-charge policies" of this Government. The facts are that this Government has opened up a competitive advantage over the other States in respect of the liability of people to pay taxes and charges. The average payment of taxes and charges in the other States is 38 per cent higher than the level of taxes and charges in Queensland. Under the previous Government, there was also an advantage of 31 per cent, but this Government has opened the gap and has improved the performance of this State. The comments made by the Deputy Leader of the Coalition are simply empty rhetoric from someone who is incapable of analysing the full situation and who has to resort to generalised claims.

The Deputy Leader of the Coalition repeated the same arguments that we had already heard from the Leader of the Opposition in respect of title and she expressed concern over the Federal Government's Mabo legislation. She went on about this issue at some length, so I think she accidentally had slipped into her speech notes a couple of pages from her Mabo speech for next week. It was interesting to get a preview, even if it did not add much to the debate. She also raised the issue of the Government's guarantee, and I believe I have dealt with that.

The member for Gladstone appropriately slammed the knockers who preceded him in the debate, namely, the Leader of the Opposition and the Deputy Leader of the Coalition. Indeed, it was remarkable to hear two leading Opposition speakers criticise the Government, slam the agreement and do everything negative they could possibly do, but then say that it is a good agreement. I think the Leader of the Opposition said, "It is a reasonable agreement and we will support it. We will vote in favour of the legislation." The Deputy Leader of the Coalition could not bring herself to do that, even though I understand that she supports the legislation, and simply said that she would not oppose it. The Deputy Leader of the Coalition's lack of grace and incapacity to ever give any credit for anything this Government does, as the member for Gladstone picked up in his theme, reflects much more on her than it does on this Government. That is very sad because the Bill represents a really positive development for this State in terms of a $1.8 billion investment, a couple of thousand desperately needed jobs, and whatever benefits the project will lead to. The Deputy Leader of the Coalition does not have to heap praise on the Government—such an expectation would be going too far—but at least she could say something positive about the project which will be very good for Gladstone, this State and the whole country.

The member for Gladstone also said that this project represents a vote of confidence by the Government and by the company in Gladstone's future, and I believe that is correct. He has been a strong advocate of his city and his district in respect of job creation and processing in central Queensland. He spoke about the millions of dollars in wages that will flow ultimately to the local economy. This project certainly heralds an even brighter future than the already bright future for Gladstone and central Queensland. As a person who has been involved in the trade union movement, the member for Gladstone recognised, appropriately, the role of the ETU, the ASU and the many local delegates who have been involved in the debate at the local grassroots level. He also emphasised the

strong community support for this project, in contrast to some of the comments that have been made during the debate.

The shadow Minister for Minerals and Energy, the member for Tablelands, had a number of shots at the Minister that did not make much impact. He indicated his support for the legislation and referred to sovereign risk. I think all honourable members share his concerns in relation to sovereign risk, and those concerns were a large part of the motivation leading to this agreement. Of course, as he would be aware, Comalco has had some difficulty in its experiences around the world in respect of sovereign risk. One of the most bitter experiences in the company's memory, I presume, would be when, in 1974, the previous National Party Government unilaterally broke an agreement in respect of bauxite royalties, upped the rates tenfold, and used special legislation to do it. It is no wonder that the company was wary of dealings in Queensland. This Government was able to overcome that wariness. I share the concern expressed by the member for Tablelands in respect of sovereign risk. He also related the history of the $500m sale by the former Government by reading a whole bundle of newspaper clippings that he had gained from the Parliamentary Library. This gave members an opportunity to read newspapers and catch up on other work that they may have had in the Chamber with them at the time.

As a previous Minister, a former Opposition spokesman who took a longstanding interest in this area and as somebody who, with previous experience in the trade union movement, had gained considerable expertise in matters relating to the resources sector and electricity generation, the member for Nudgee gave a very detailed history of the power station dealings by Comalco in this State, for which I thank him. In addition to that, he dealt in particular with the interconnection and power pooling agreement which, as he rightly pointed out, is crucial to the exercise. The member for Nudgee talked about the respective amounts that were available to be generated and fed into the grid in particular circumstances relating to the level of operation that was going on, the need to keep a surplus, and so on.

The member for Nudgee dealt in some detail with the timetable for construction and completion of construction, and the various contingencies that in certain circumstances could generate, in his analysis, a gain for the company and a loss for the State. As I understood his concern, he raised the issue of whether or not there should be some monetary penalty imposed by the State. Of course, there is a penalty provided in favour of the State. The penalty for Comalco failing to complete construction of the smelter expansion by 30 September 1998 is that the company must provide power to the QEC until the year 2001 at no charge. I am advised that the value of that to the QEC is about $160m. So a monetary penalty is in place. Hopefully, those sorts of contingencies will not arise, because there is a high degree of confidence on the part of the Government and on the part of the company that our mutual interests are served by the transaction progressing as anticipated.

The member for Nudgee concluded by saying that he thought Comalco was getting a good deal. I agree with that comment. The other side of the coin is that the State is also getting a good deal. We have to face up to the fact that at present in Australia it is a buyer's market. In this country, we desperately need jobs. Unemployment is the biggest single concern of Governments in this country today, and I believe that it is the biggest single concern of the community. That is certainly the opinion of the people to whom I speak. I think that is reflected in public opinion polls that are published from time to time. It is a good deal for Comalco, but it is also a good deal for the State. That is why, when he was in Cabinet, the member for Nudgee supported the Cabinet decision on this proposal. I thank him for his contribution.

We then heard from the member for Lockyer, who tried to join in the criticism of the Minister for Minerals and Energy. However, I do not think that he had much impact. He indicated his support and the support—according to him—of his party for the sale. He then gave us a very interesting discourse on the operation of electricity grids in various places in the world, particularly in Europe. As the member pointed out, the European experience may well have some lessons for us in connection with the proposal for a future national electricity grid.

The member for Waterford indicated at the outset of his contribution his main reason for supporting this legislation—jobs and investment. Of course, that is the central and driving motivation behind the Government's involvement in this transaction. The member for Waterford has extensive experience in the union movement. He has worked at Gladstone and has had specific experience with Comalco. He was therefore able to recognise the benefits of this transaction, not just the instant deal but also its future potential. Whether it be additional smelting or

light metals processing, that potential is very substantial. The member for Waterford dealt with his concerns about industrial relations issues and his satisfaction at the resolution of those issues, particularly with respect to employees' superannuation, certificate of employee entitlements, and so on. The member for Waterford also dealt with the $500m sale price tag history.

Finally, we heard from the member for Sandgate, who also spoke about conditions of employment and the importance of satisfactorily resolving those issues. It should not be underestimated that this is a radical departure from the conditions to which the work force and some of the unions engaged in the industry are accustomed. It is quite a change. The fact that those groups have been able to come to terms with it and to participate in the progression of this transaction is to their credit. The member gave credit where it was due in that regard. He also dismissed and dealt with the claim by the Leader of the Opposition and some members opposite that the $500m price tag proposed by the National Party several years ago would have put the State in an equal or better position than that which it is in at present. That is not so, and the figures demonstrate that fact clearly. The $825m-plus that the Government will ultimately receive from this transaction is a fair arrangement, albeit a good deal for Comalco. This arrangement is better than that which was on offer when we first came to Government. I conclude my remarks on that note.

Motion agreed to.

Committee

Clauses 1 to 31 and Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr W. K. Goss, by leave, read a third time.

LOCAL GOVERNMENT BILL

Second Reading

Debate resumed from 18 November (see p. 5994).

Mrs McCAULEY (Callide) (3.58 p.m.): After a tortuous journey via a series of reviews, Green Papers, submissions, overviews, committees, evaluations, re-evaluations, commentary and deputations, etc., the much talked about Local Government Bill was finally introduced to the House on Thursday, 18 November—albeit, in parliamentary terms, on the eve of the 1994 local government elections, where some parts of it will apply. The remainder of the Bill will commence on the day that the local government elections are held—26 March 1994. The National/Liberal coalition welcomes the Bill, and I am pleased to give the coalition's response.

It was the National Party Government that commenced the complete review of the Local Government Act. The aim was to have the new legislation in place in the very early nineties—well before now. I take the opportunity to thank the public servants who were reviewing the Act prior to 1990 for their professionalism, their professional and apolitical courtesy and their contribution to review and the local government legislative reform process. In particular, I mention former departmental heads Harold Jacobs, Ken Mead and the assistant directors, and Maurie Tucker and the present staff, who have put long hours of work into this Bill.

I take the opportunity to pay tribute to the thousands of people interested in, concerned with and working in local government who made submissions, verbal or oral, or participated in meetings or deputations in an endeavour to put in place an Act that will assist councils to grow and develop and reflect the needs and aspirations of local communities for the next half century. I thank them for caring about this level of Government—local government. It is to be hoped that they will find some measures in this Bill that reflect their views. As well, I thank the Minister, his office and departmental officers, and the Local Government Association for their courtesy to me as the shadow Minister for Local Government with respect to advice on the Bill. I acknowledge in the gallery the presence of the LGA president, Jim Pennell, and Greg Hallam.

The Minister inherited the Local Government portfolio in September 1992. It is fair to say that the Minister had to wear many of the unpopular policy decisions of the former Minister, but it is equally fair to say that this Minister is working hard with local government. It seems, however, that he still has a lot to learn before he can become as respected and loved as the Minister who was fondly known as the "Colossus of Roads". The Bill before the House is only the third of its kind since separation in 1859. The first municipal law was passed in 1864, but it seems that the Local Government Act of 1878, the divisional boards of 1879 and the Local Works Act of 1880

were the foundation of local government in Queensland. One of the principal functions of the 1878 Local Government Act was to extend the area of the municipalities and to extend local government throughout the State.

It was the Local Works Loans Act of 1880, however, which was unique. For the benefit of the House, I quote from *Hansard* of 1936, which states—

> "The . . . Act of 1880 marked a departure in local government, and attracted attention from various parts of the empire by reason of the fact that it was the first measure that provided for advancing local government loans by a Government on a scientific valuation of terms based on the life of each work, and in accordance with the actuarial scale set out in the table in the schedule.
>
> This was a most important departure in local government, and it was this State in that year that made the first attempt to give stability to local government by making it possible for local authorities to finance public works."

Another reform of significant importance occurred in 1890, and that too was regarded as a revolutionary departure from the norm—something which we still have today even under our sparkling new Bill. It was the Valuation and Rating Act of 1890, which introduced for the first time in any country taxation on the unimproved value of land. I am sure that Government members will be pleased to hear that that Bill was introduced by the coalition Government, whose leaders were Sir Thomas McIlwraith and Sir Samuel Griffith, even though their policy was to ensure low State Government taxes and fees. It seems, and again I quote from *Hansard*, that—

> "They could see in the universal levy on the unimproved value so called a method of mutual reconciliation that would meet the demands of many true exponents of local government principles."

It was not well received at that time.

Just in case Government members are getting a bit excited, it should be noted that the 1936 Local Government Bill, introduced by the Labor Forgan-Smith Government, did not throw out the tax. After all, in Queensland's first 50 years, figures were given—

> ". . . to show the improvement and advances made in local government immediately that system of taxation was introduced, and the change that took place in the financial position of local authorities."

By 1936, it seems that there was a lot of confusion in local government which provided the opportunity for another reform—this related to by-laws. It appeared that, every time a local governing body wanted to do something new—and that was frequently, with huge areas in the state of development—it was necessary to amend the Act year by year. The new Act provided that, instead of being bound by restricting Schedules and powers contained in the Act, local bodies were enabled to make by-laws on any domestic matter. The 1936 Act was largely a charter of local government and, with various amendments, served this State and Queenslanders well, particularly through the dynamic growth periods of the late seventies and eighties.

Some 50-odd years after that Bill was introduced—and that appears to be the life of a Local Government Act—we now come to the Bill before the House, the Local Government Bill of 1993. As said before, the formulation of this Bill has taken a tortuous route, its contents overshadowed by the changes to internal and external boundaries and proposed amalgamations. When the review of the Local Government Act was initiated by the previous National Party Government, it was not envisaged that the spirit of so many people in the councils would be crushed by so-called reform and change. It has, however, happened. The scars will not fade. They are there forever, written in the pages of history. Whilst of small comfort to those at the forefront of aggressive boundary changes instigated by this Labor Government, the pain or disillusionment will break down gradually, but only after a long time.

Before looking at this Bill, for the benefit of the House a brief overview of the pain inflicted by the Goss Labor Government on councils in certain particulars will not go astray. The ongoing review of the powers and functions of local government to assist in efficient administration and operation was definitely not the priority of this Labor Government—definitely not. The priority was politics, not the wellbeing of ratepayers and efficient administration. The House will recall that, on 29 March 1990, the then Minister for Local Government and Deputy Premier introduced a wide-ranging resolution authorising the now extinguished Electoral and Administrative Review Commission to investigate local authority electoral and

administrative matters. It was, quite clearly, a political direction.

It stemmed from a January 1990 statement made by the Federal Labor member for Bowman, who was reported to have said that the gerrymander in Queensland's local government boundaries was far worse than that which governed the State. That comment was hastily followed up by the then Minister and present Deputy Premier saying that EARC would review the local government boundaries. The Premier also bought into the issue by saying that the local government boundaries would be investigated. So the boundaries were being both reviewed and investigated, despite the 1989 pre-election promise that an ALP Government would not rush into any restructuring of local government. There was not so much as a word about powers and functions or the ongoing review of the Local Government Act.

On the 12th parliamentary sitting day of the new Government, the motion was rushed in. The aim was to have the boundaries reviewed before the 1991 local government elections. The motion, political in its formulation, also contained a timetable for completion. It was a political timetable which caused EARC itself no end of concern. One of the part-time commissioners, the late Mrs Marie Watson-Blake, said that it was wrong to expect the commission to meet impractical deadlines and went on to say that time constraints motivated by political expediency should not apply. The non-political EARC itself said that the review had been very controversial and the commission's integrity was attacked.

On the issue of external boundaries, 3 200 submissions and comments were received, compared with a total of about 1 520 submissions for the 16 reviews on other matters that EARC had completed. It is of interest to note that, as recently as last week, the Office of the Local Government Commissioner had received 2 121 submissions on its review of proposed local government boundary changes. The submissions related to only Townsville / Thuringowa, Bundaberg/Woongarra/Gooburrum, Maryborough / Woocoo and Warwick/Allora/Glengallan/Rosenthal. It is timely to recall that the Australian Labor Party's contribution to the local government electoral system review was a most ill-considered and intemperate submission and quite clearly unprofessional. That submission showed the intent of the Labor Government, which was to endeavour to get rid of conservative people from non-urban local councils.

The long and short of the story was that the Labor Party and the Labor Government failed in their objectives at the 1991 local government elections. Credit must be given to the Minister for finally getting this Bill before the House. It has taken a long time, but it has enabled wide consultation and, on balance, it seems that all of the stakeholders concerned with the Bill had input. It is a massive Bill, comprising some 800 clauses, which compares with only 55 clauses, albeit long clauses, for the 1936 Act. As said before, the 1936 Act was largely a charter of local government, and, according to the Minister, this Bill "sets out the framework of the local government system." Basically, it seems that this Bill allows local governments greater flexibility in their operations and promotes increased accountability, which, interestingly, was the object when the review was announced first of all by the former National Party Government.

The Bill states in clear and simple language that each local government has jurisdiction to make laws for and otherwise ensure the good rule and government of its territorial unit. It sets out the system, the procedures and the ways and means of achieving those objectives. The Bill gives councils the flexibility to perform many roles, such as information broker, planner, coordinator, facilitator, catalyst and community advocate, and the authority to perform their function, which is to ensure that appropriate physical and social infrastructure is in place. As we move towards the year 2000, the trend will be increasingly focused towards local government's community development and economic development roles. The Bill stipulates the composition of local governments and the names, legal status and general powers of local governments.

The provision requiring that every head of a council be recognised as mayor and every member known as a councillor has caused considerable debate in the community. Although it may remove differences, it will not make for better local government, and it has served to deflect attention from more important clauses of the Bill.

Under the Bill, "joint boards" are replaced with "joint local governments", which provide for coordination, cooperation and sharing arrangements and facilities across city, shire and town barriers, widening further into the context of a region. This Bill incorporates all the powers and definitions pertaining to the

office of the Local Government Commissioner, and those powers are extensive and comprehensive indeed. Suffice it to say, I share the misgivings of many others throughout the State regarding such powers held by an unelected and therefore unaccountable official. The Bill properly provides the grounds for intervention by the State. These are very reasonable, and as the Minister said in his speech, are not as extensive as in the current law and reflect the maturity of local governments. I will say more about that later.

It is noted that the Bill contains measures which relate to the Brisbane City Council and also the Minister's intention to review the City of Brisbane Act 1924 next year. This is interesting in light of the fact that both the Victorian and Western Australian Governments have recently dismantled the Perth and Melbourne City Councils, but I will save my comments on that matter for another time.

The Local Government Grants Commission is an important component of the Bill as all councils, particularly many small rural and isolated councils, rely heavily on financial assistance grants to assist their operations. As the Minister pointed out in his speech, the Bill provides for a new set of electoral arrangements which are the result of research and review by EARC. It is pleasing to note that the Government has followed EARC's advice that the local government election rules, as far as is practicable, should mirror the State requirements.

There is concern, however, that electoral visitor voting is not suitable for application to local government. That will be discussed at the Committee stage. It is noted that the Bill recognises political parties. Under the Electoral Act 1992, candidates for election can be either nominated by the registered officer of a political party or at least six electors for the local government area. Candidates who are endorsed by a political party must declare that endorsement on their nomination form.

It is noted that there is no mention at all of the disclosure of costs incurred by political parties in the election process, which I think is probably an oversight. Councillors and mayors elected will have to provide the executive officer with a register of interests, as members of Parliament presently do. The chief executive officer and other employers as nominated will also have to register their interests, but these will not be able to be reproduced in the media, as I understand it. Only elected representatives have to suffer that indignity. Again, I will bring that up in Committee.

Many local governments are looking at opportunities for widening their revenue base and maximising development opportunities. There is provision for a local government to undertake any business or enterprise activity that will benefit its area. Under Financial Operation and Accountability of Local Governments in Chapter 7 of the Bill, there are several new requirements. These include the necessity to prepare, regularly review and make public a triennial corporate plan, showing economic and budgetary directions for the future. The annual budget will be based on the corporate plan, and an operational plan will be done annually as well. Councils will be required to produce annual reports of their activities for the information of the public. Whilst this will create a great deal of work for the chief executive officer, I welcome such information being made available.

The local government finance standards proposed under the new Local Government Act will provide for accrual accounting. This will also create a lot of work for the chief executive officer, at least initially. The Bill provides for local laws which will replace the system of by-laws, which will lapse after three years if not reviewed by the local government.

The Government is to prepare a set of model local laws which will be available for adoption by councils if they so desire. The provisions contained under Chapter 10 of the Bill—Rates and Charges—will give local governments a greater degree of rating flexibility, which was one of the initial aims when a review of the Local Government Act was commenced. It is noted that councils will have the power to adjust rates if the valuation of land changes during the course of a year. This means that a more equitable system will apply, thus making it possible for rate relief for ratepayers and, indeed, tenants. It is welcome that rates may be paid by instalments, that they may be deferred for the lifetime of a pensioner/owner and that there is provision for remission of rates for occupancy by pensioners.

Chapter 11—Provisions Aiding Local Government—sets out the legal process that a local government must adhere to in seeking to enforce compliance with the provisions of the proposed Act and the legal remedies and responsibilities of local government. As said before, it is a comprehensive Bill.

The Liberal and National Parties support the Bill. It has the support of the Local

Government Association, local governments themselves and the wider community. Having said that, I am reminded of a quote from Lord Asprey in 1983—

> "Almost all local government reforms end in disaster."

Through both the department's and EARC's review process, all political parties, groups, organisations and individuals had an opportunity to contribute. Whilst the National/Liberal coalition may not agree with every dotted "i" and crossed "t", on balance the Bill has our support. However, I reiterate that there is no way we would have put local government through the unbelievably uncaring upheaval which this Goss Labor Government has imposed, resulting in crushed communities and crushed community spirit. Although we support the Bill, we do have concerns.

I now look at separate parts of the Bill and enunciate some of those concerns. The Bill contains provisions which will impose on local governments specific performance tasks. These include new local government finance standards, corporate and operational plans, annual reports, and model laws. Each one of these tasks singly and collectively are sound for improved accountability and administration. They do comprise, however, added compulsory responsibilities and, hence, a financial and bureaucratic burden.

One of the constant complaints emanating from local government over the last four years is that valuable council resources, in terms of time, personnel and equipment, have been tied up responding to reviews, preparing submissions and attending meetings instigated by the State Government or one of its bodies. As well, the preparation of submissions and responses to drafts and reports have proved to be, for many local governments, a costly exercise. In many instances, the expertise necessary to respond had to come via consultants or by contract. For example, the EARC reviews were prolonged, complex and, for many local governments, a costly exercise.

Whilst local governments do not object to the annual report, the corporate plan, etc., the new responsibilities contained in this Bill will require more professional expertise, and that will come at a price. There is no doubt that local governments will comply, but this could well be at the expense of a job in the roads, cleaning or some other division, or maybe even an increase in rates.

In many respects the Bill is in the image of this State Labor Government—heavily bureaucratic; tending towards the need for committees to work out how to do things, tying up decision-makers on getting approval to do things, and precious little about getting things done and achieving things. A good example is the section on appeals against disciplinary actions, which covers some seven pages of the Bill. Even advisory committees, which do not keep minutes of meetings, will be obliged to do a written report of their activities. Closed meetings will have to specify what is going to be discussed in those meetings, and woe betide the council that discusses something else in that closed meeting. The model laws, in their various categories, are an excellent concept and goal to work towards, but from my own personal experience, ratepayers want model footpaths and roads and model rubbish collections more than anything else.

A very general overview of the Bill leaves one with the clear view that the State Government sees local governments as being merely another Government department. In fact, there are reports that the State Labor Government intended to run the Brisbane City Council as the nineteenth Government department after it won office there three years ago. As all honourable members now know, this did not eventuate, as State Cabinet and the Premier's Office found out that the new Labor Lord Mayor had a mind of his own and City Hall was not going to be the nineteenth Government department or even a satellite of the Cabinet Office.

The Bill, in general terms, provides a framework whereby the Government can better manage, oversee and ultimately control local governments. It is clear that the new tasks for local governments will also create extra work for the Department of Local Government. This, it seems, does not warrant any concern, as the department wants to increase its influence. The Bill, to some extent, is about complexities and not simplicities. For example, Part 1 in Chapter 3 provides for a review of local government matters. The functions of the Local Government Commissioner are confined to just two areas: reviewable local government matters and referable local government matters. The Bill provides—

> "The Minister may refer to the Commissioner any local government matter."

I repeat: "any local government matter". It is a neat way of getting a thorny problem out of the Minister's office or the department for someone else to make the decision. The unelected Local Government Commissioner

will make the unpopular determination, and the Minister and the Government will escape the criticism.

It is the way this State Labor Government works—allow boards, committees and review bodies to make the decision, and blame them if it does not work out favourably. For example, the Goss Labor Government believes that it can hide behind the recommendations of EARC on the issue of amalgamation. Labour members cannot escape the fact that it was their policy to cut the number of local governments.

I turn now to the matter of joint local governments, previously known as joint boards. The National/Liberal coalition is of the view that, before this Labor Government proceeded with forced amalgamations, those local governments targeted for amalgamation should have been given a greater opportunity to consider joint arrangements for resource sharing. It is somewhat ironic that the Bill encourages joint governments, but the State Government, despite lip-service to this issue, prefers amalgamations.

The parliamentary EARC majority report supported amalgamations, but Cabinet, to save its political hide, rejected it and adopted the Liberal/ National dissenting report. Cabinet decided that the 16 councils identified by EARC for amalgamations would have to negotiate the terms of amalgamation or develop joint arrangements which met the efficiency and effectiveness concerns raised by EARC. It would seem that this undertaking was somewhat of a smokescreen, because amalgamations have occurred against the wishes of electors in various local governments. And it seems, in the face of evidence, that there were alternatives in the form of joint arrangements. I use the example of Gooburrum and Bundaberg. Gooburrum did everything that the commissioner asked, but it is still set to disappear, much against its wishes. It seems also that alternative recommendations for joint arrangements between Moreton and Ipswich have been rejected by the Local Government Commissioner.

The writing is on the wall, as it was for Allora, Glengallan, Rosenthal and Warwick and other local governments which complied with alternative recommendations other than amalgamations. With the Ipswich City Council in turmoil due to the Labor Party politicking, it is little wonder that the electors in Moreton are tardy about amalgamation with that council. It is clear that the State Labor Government was not really interested in alternatives to amalgamations.

This State Labor Government is about big government and centralism. It wants to be surrounded by big corporate structures, and amalgamations are about making small local governments into big local governments. Local government boundaries should not be crunched together or readjusted in the same way as Federal or State electorates. Local governments were established by local communities—many last century—and should not be amalgamated without a referendum in each affected community.

As I said earlier, the Labor Government had a political agenda to tidy up local government and, in the process, to weed out what it believed to be a National Party support base. It is of interest to note that the Labor Government in this State is going down the very road of the failed Victorian Labor Government by forcing amalgamations on small communities and local governments. Indeed, in Victoria, the failed Labor Government was forced to jettison its amalgamation program. Joint government is not a new concept. For example, there have been joint arrangements, formal and informal, between shires and city and town councils for many years prior to the advent of EARC with respect to water supply, aerodromes, sale yards, libraries, and sporting and other recreational facilities.

Last year, the Local Government Association conducted a special conference on local government boundaries. One of the speakers was a town clerk from St Peters in Adelaide. He said—

> "I noticed in the EARC report they talk about it—joint arrangements—being a second best alternative. I don't think it's second best at all. I think it is much better, and it is much better for these reasons: I think it's better local government because it retains diversity; I think it is better management because it retains flexibility; I think it is better economics because you don't fall for decreasing returns to scale; I think it is better sociology because it hangs onto a very fragile thing called community; and it's better management, again because your approaches are more carefully targeted. And also, you don't get locked into major error if you go for an amalgamation and find out five years down the track it hasn't quite delivered on its promise."

At a conference in 1990, the combined Ministers for Local Government of Australia and New Zealand commissioned a report which was published in 1990 on municipal research sharing. Basically, it was saying that there are alternatives to helping micro-economic reform other than amalgamation. What a pity it is that Greg Hoffman has not taken note of that. It is obvious that there are advantages in joint government or it would not have been included in this Bill. But it seems that those targeted for amalgamation will not get the opportunity to apply them to their circumstances.

Turning now to the matter of intervention by the State—where the operations of a local government are not in the public interest or are in conflict with statutory requirements, the Bill provides for the State Government to intervene to ensure that an area has an effective local government system in place in accordance with community expectations. However, the reserve powers which allow the State to oversee the spending of funds by local governments have been deleted.

It is of interest to note that the State Labor Government, through the Local Government Commissioner, has no problems with seemingly conservative councils being amalgamated with very little thought for the people. Yet in the Labor dominated Ipswich City Council, about which clear questions of accountability have to be answered, the Government has turned a deaf ear. When it comes to ALP politics, the people—the voters— come last, and the political wheelers and dealers and the party come first. The House will recall that the Ipswich City Council Labor caucus expelled its mayor, David Underwood, who was blocked from carrying out the day-to-day decisions that are necessary in the running of a local authority. It should be noted by the House that the Australian Labor Party kicked him out of the party—expelled him—for doing the job that he was elected to do. The removal of Mr Underwood from caucus was basically caused by the unions, which supposedly were opposed to efficiency measures on restructuring within the council work force. They wanted ALP councillors to reject the workplace reform program and the cancellation of payroll deductions. In other words, they wanted to have the reforms frozen, and they were successful.

The Labor caucus elected a temporary Labor Party council leader to take over the day-to-day running of the council, leaving the people's mayor—the elected mayor—sidelined. From 1990, it seems that the Ipswich City Council has been the stronghold and plaything of Alderman Tully and his colleagues, better known as the "Tully Gang". The very clear lesson to be learned from the Ipswich City Council fiasco is that politics is better out of local government, particularly when it is Labor politics.

I have received similar complaints about the Redlands Shire Council, particularly about the Chairmen's Advisory Council, which certain councillors hide behind and which is comprised of unelected people. These situations can all be remedied by ratepayers at the forthcoming election. It is quite clear that there will be no intervention by this State Labor Government into anything in which the Labor Party has an interest. But if it is a conservative council, the full force of the provisions contained in this Bill will be brought to bear. This State Labor Government has double standards—one law for the conservatives and next to no law for the Labor Party.

I turn now to the Local Government Grants Commission. Under the provisions in the Bill, the commission's functions will continue to include making recommendations concerning the distribution of certain financial assistance to local governing bodies, in particular the general purpose grant made available by the Commonwealth, and to hold inquiries and to carry out investigations. The Local Government (Financial Assistance) Act 1986 provides for local government financial assistance grants to be paid through the six States and the Northern Territory and distributed according to criteria developed by the States' Local Government Grants Commission and approved by the Commonwealth Minister for Local Government.

Although the former Minister has assured local governments that there will be no change in the formula for allocating Government grants, the proposal by the Cities and Towns Local Government Association, now called the Urban Local Government Association, to move to alter the method has caused much concern. At its 1992 annual conference, the association passed a motion to impose a moratorium on the levels of grants during a phasing-in program. The resolution called on the State Government to bring "a proper and just degree of equity into the allocations for cities, towns and urban areas compared with other States without disadvantaging the needs of people who live in remote areas of the State."

The Deputy Premier told the new association that he believed that the horizontal fiscal equalisation method was the best and that, whilst it caused "headaches", it served the purpose well. The central principle of this method is equity, and no-one should take exception to that. Horizontal fiscal equalisation is similar to electoral weightage. It takes into account certain disadvantages. For example, by 1996-97, when the Queensland formula for working out grants allocations is fully phased in, the Waggamba Shire will receive $385.07 per person, while Ipswich City Council will receive just $14.67 per head. The differentials between the grant revenue per head in urban areas and rural areas are wide and, to some people, worthy of challenge. Furthermore, it seems the grants for country Queensland are the highest in Australia, and the figure for grants for urban Queensland is the lowest in Australia, therefore adding more fuel to the argument.

It is ridiculous to propose that local government support grant funds should be disbursed on a per capita basis. Grants should be disbursed on the basis of need. Urban ratepayers use reticulated water and, in some cases, gas services. They benefit from garbage collection and other public health provisions. They have access to libraries, a range of recreational choices, good roads and transport facilities. Most rural dwellers do not have these levels of service. Some rural residents have isolation, rudimentary or non-existent council services and great distances to travel in order to conduct their business with local government.

Many inland councils would not survive without the present method of funding grants. The level of rates for those councils, with their very small populations and short supply of rateable properties, is not high. Furthermore, the distances involved in providing local government services make this very costly. On the other hand, in the more populated cities and towns east of the Great Dividing Range, rate collections are substantial and, with some exceptions, the provision of services is relatively simple. The present rating formula favours rural communities because of their large areas and small populations, and this method of rating should be retained. Protests about the wide differentials between city and country grants have been made for a long time, and it seems they are not going to disappear.

I turn to some specific local government matters. While speaking to this Bill, I take the opportunity to encourage women to nominate for election as councillors or mayors. I say—tongue in cheek—that, after a painstaking reading of the Bill, it appears that there are no provisions that give women preference or a head start.

Mr Littleproud: Just gender neutral.

Mrs McCAULEY: That is dead right. Over the past six years, women candidates in local government elections have had unprecedented electoral success. As well, a record number of women are winning office across Australia. Across the nation there are 8 535 councillors, of whom 20.2 per cent, or 1 654, are women. It is becoming increasingly obvious that far more women are seeking public office at the local government level than at the State or Federal level. At the 1991 Brisbane City Council elections, the number of women elected was more than double that of the previous election. As a result, women make up 40 per cent of Australia's largest local authority.

A recent study on the subject of women in local government, which was conducted by Mr Mark Neylan of the University College of Southern Queensland, found that women were attracted to local government because of the lack of disruption to their lives which was often encountered by their Federal and State counterparts. Whilst women are nominating for local government elections and many are being elected, it is disappointing that the number of women actually employed in the middle and senior management positions in local councils is surprisingly low. Very few women occupy senior positions in city, town and shire councils. There is evidence of a large gap between men and women at middle management and above. On the other hand, there is a large concentration of women at the lower end of the hierarchy. It seems that the only management positions featuring women are generally in the child-care sector or libraries. A probable reason for this is that women do not see a career path for themselves in local government. It is clear that there are many ALP apparatchiks in the employ of the State Labor Government who do see a career path for themselves in local government. For example, Lee Duffield, the media adviser to the Minister for Primary Industries, is the candidate who will represent Toowong at the next local government election.

I turn now to the issue of elections. With respect to Chapter 5, Declaration Voting, I draw the Minister's attention to what clearly must be an anachronism. I will read it for the benefit of the House, and I point out that I shall not be debating the clauses. It states—

"The following electors may cast a declaration vote—

(c) an elector who, because of illness, disability or advanced pregnancy, will be prevented from voting at a polling booth;

(d) an elector who, because the elector is caring for a person who is ill, has a disability or is pregnant, will be prevented from voting at a polling booth;

With respect, I ask the Minister: why would being pregnant prevent a person from voting at a polling booth? Pregnancy is not a disease. This provision shows clearly that there has been no female input into this legislation. Why discriminate against women who are pregnant? Women have struggled to be permitted to continue to work while they are pregnant. Why should they not be able to vote at local government elections?

Before concluding my remarks, I shall address the issue of roads. Roads are an absolutely essential asset. They are a shared asset that is controlled by Federal, State and local governments. Regrettably, our roads are an ageing asset. Local governments, which are responsible for about 83 per cent of the total length of roads in the nation, spend more on roads than do all the State Governments combined—or even the Federal Government.

In relation to council expenditure for the majority of rural shires—road-related outlays account for some 40 per cent to 60 per cent of those shires' budgeted total ordinary service expenditure. Federal road funding is based on population, not distance. As a result, Queensland's road standards are declining, together with real levels of funding. Commonwealth funding of Queensland roads—with the exception of the year when One Nation applied—has declined, although Queensland's population has been growing at at least 2.6 per cent per year. In fact, since the Federal Labor Government came to power in 1983, there has been no less than a 25 per cent decline in road funding in real terms. The average age of Queensland's road network is increasing. Some 41 per cent of pavement on the declared road network in the State is more than 20 years old, which is the normal service life of pavement. Six per cent of that pavement is more than 30 years old.

When one visits local governments and speaks with councillors, engineers and road gangs one quickly learns that there is an enormous backlog of work to be done in those regions. The tragedy is that the level of funding available for roads cannot keep pace with current and increasing demands, let alone address the backlog. Some local governments are literally digging up their bitumen roads and replacing them with gravel because they are easier to maintain. It has not escaped the notice of local governments that road funding to Queensland for 1993-94 is 34 per cent below that provided in the 1992-93 Budget and—it must be said—8.6 per cent below that for 1991-92 and 2.1 per cent lower than the funding for 1990-91. That is a very poor record indeed.

There is plenty of money available for recreational and sports grants from the Commonwealth Labor Government to cronies in marginal seats, but the money is in short supply for basic infrastructure that is vital to the efficient functioning of commerce and industry in this State. On the other hand, the State's contribution to road funding will increase by 15.2 per cent to $447m.

A careful analysis of the State Labor Government's contribution to roads over four years shows the figure to be some $1,195m—or about $300m a year. That is far from a rich allocation. Some local governments are unhappy with and concerned about the level of Queensland transport funding for permanent roadworks in their areas. Combined with the continuing drought, this has meant that some local governments will have to reduce their work force in the near future. The concern about road funding for local government is reflected in a national campaign to be launched by the Australian Local Government Association to change the way Australia's roads are financed. That campaign, which will start next year, will promote the view that the current system of road funding is ridiculous and inefficient and is a contributing factor to serious road accidents caused by inadequate roads. The ALGA maintains that road users pay heavily for an asset that is being allowed to deteriorate, and that the current system is dishonest. It is interesting to note that the association claims that, before each election, funding improves and that, after each election, it drops dramatically. This certainly happened at the Federal level, and the small increase in the State Labor Budget would hardly settle the dust.

As I said before, the Opposition supports the Bill. There are new measures in it that will test the patience of councillors and chief executive officers, but it is fair to say that it is good legislation. To all of the local governments that will apply it to their individual territorial units, I wish them well, and it is to be hoped that they will grow and prosper in the

same way that they did under the Local Government Act of 1936.

Mr BEATTIE (Brisbane Central) (4.39 p.m.): It gives me a great deal of pleasure to rise to speak in favour of this Bill. I congratulate the Minister on introducing it into this House. As we know, the Goss Government has a proud record of achievement in the local government area, and I think that pieces of legislation such as this are a clear indication of this Government's commitment to local authorities.

Let me begin my remarks by dealing with a couple of important events that occurred recently. As from last Saturday, as a result of the amalgamation of Gympie City and the Widgee Shire into the Cooloola Shire, there are now 133 local authorities in Queensland, not 134. On Saturday, the appropriate election took place. I am pleased to see an article in today's *Courier-Mail* about that election. I will read a part of the article, because the honourable member for Callide should be aware of some of the comments that are contained in it. The article is headed, "Cooloola's first council elected." It states—

> "Gympie City and Widgee Shire ratepayers have voted in the first new local authority created from Queensland's boundary reshuffle, the Cooloola Shire Council.
>
> On Saturday, former Widgee Shire chairman Adrian McClintock became the first Cooloola Shire chairman, leading a council made up of six former Widgee councillors, two former Gympie aldermen and four newcomers.
>
> . . .
>
> Cr McClintock, who has 22 years of council experience, said he was optimistic about the future of the amalgamated shire which removed the absurd situation of a small local authority, Gympie, within a larger authority, Widgee."

The honourable member for Callide will be pleased to hear what the councillor said next, because it refutes many of the things that she has said this afternoon in this House in opposition to amalgamation. The article stated—

> "He advised other councils resisting amalgamation to accept that the Government was committed to reform."

I repeat—

> "He advised other councils resisting amalgamation to accept that the Government was committed to reform."

I have said that twice for the benefit of the honourable member for Callide. The article continued—

> " 'We thought we would make the best of it by taking control of the process,' he said.
>
> 'I think there's very little to gain from opposing it because it tears a community apart and in the end there will still be a boundary change.' "

In other words, Councillor McClintock has fully endorsed what has happened. I table that article for the information of the House. Perhaps the honourable member for Callide might like to give Councillor McClintock a ring, and thereby gain a greater understanding of the process.

This Bill provides for local laws as opposed to the old system of by-laws. Local authorities have a three-year period in which to review their existing by-laws. They have an opportunity, if they wish, to adopt the model that is set out in the Bill. If they do not make their own laws, then the model will apply. Mr Speaker—sorry, Madam Deputy Speaker; my apologies, I did not see the transition; it was so quick.

Mr Laming: I got into trouble the last time for that.

Mr BEATTIE: The member should have got into trouble. At least I noticed.

Mr Mackenroth: At least you didn't say you didn't notice any difference.

Mr BEATTIE: I take that interjection. Madam Deputy Speaker, I certainly notice the difference between you and Mr Speaker. The difference is considerable, and it is a marked improvement. I will deal with Mr Speaker when he returns.

Mr Lingard: He just walked out and said he couldn't stand it.

Mr BEATTIE: I know how friendly the honourable member and Mr Speaker are. He ought to be careful, or he will not be here at all.

I turn now to some of the archaic by-laws that demonstrate why this provision in the Bill is so important and why the Minister has demonstrated great common sense by including this necessary review of the existing by-laws over the next three years. Some of those by-laws are classics. For example, By-law 415 of the Townsville City Council states—

> "No person shall sell explosive or other combustible matter by gas, candle, or other artificial light within the City unless such explosive or other combustible matter is in hermetically sealed canisters."

That by-law must have fallen off the back of the ark heading west. However, that is not all. By-law 446 states—and if the honourable member for Callide wants to talk about women's issues, she should firstly listen to this—

> "No occupier or owner of any building or part of a building shall permit any female to clean, paint, or perform any other operation upon the outside of the building or any window thereof by standing on the outside of the windowsill or any ladder or step, unless the window is on the sunk or basement story, or the front of the building where the work is being performed is distant more than thirty feet from the nearest road or neighbouring premises, or unless such female"——

Mr Mackenroth: They can't mow the grass.

Mr BEATTIE: That is right. The by-law states further—

> " . . . is clothed in dress appropriate to the work being performed, and of such a nature and so arranged as not to offend against public decency."

So the honourable member for Callide could not clean windows in Townsville.

Mr T. B. Sullivan: She doesn't clean them in Biloela.

Mr BEATTIE: But she could not clean windows in Townsville—not that anyone would want her to. However, that by-law would prevent her in her present attire from cleaning windows in Townsville, unless she was on a ladder more than 30 feet away from the road. I think that if she was cleaning windows she would need to be more than 30 feet from the road because we would not want to scare the drivers. Another by-law that clearly needs changing is By-law 447, which states—

> "No person shall engage in any prize fight without proper gloves, nor shall any person be concerned in or instigate, aid, or abet any such prize fight, or any dog fight or cock fight."

Mr Mackenroth: You'd think the former deputy clerk in Townsville would have done something about amending that law, couldn't you?

Mr BEATTIE: I will be cautious and not buy into that one. The by-laws go on; I could read them all day. By-law 499 states—

> "No person who wheels or brings, or causes to be wheeled or brought, into a park a perambulator or chaise"—

which is a horse-drawn vehicle—

> "used solely for the conveyance of children or invalids shall at any time wheel or station such perambulator or chaise, or cause or suffer the same to be wheeled or stationed, over or upon any part of a flower-bed, or over or upon any tree or plant, or any ground in course of preparation or cultivation as a flower-bed or for the reception or growth of any tree or plant."

One can understand clearly why these by-laws need to be changed, and why the provisions in the Bill are not only common sense but also necessary and important.

When the honourable member for Callide spoke about matters referred to the Local Government Commissioner, she said that the Minister wanted to avoid such matters and not make decisions on them. I would have to say that she has picked the wrong Minister. If any Minister ever wanted to make decisions and had a reputation for making them, it is this Minister. I do not know from where she obtained her prepared speech, but it did not take into account whom she was referring to. When she reads a speech like she did today, and if she has not read it before, she does so with some sense of discovery. Nevertheless, when she reads her speeches, she needs to make certain that she actually understands what she is saying. The other point that I find really amusing——

Mr Lingard interjected.

Mr BEATTIE: The honourable member should not get excited; I am about to come to him. It really amuses me when I hear National Party members talk about politics and local government. I have never heard such a pack of frauds in my life. The National Party has used local authorities as a training ground for candidates since Adam and Eve were in shorts. It has run candidates, supposedly as Independents. Those candidates have pretended to be Independents, yet they have been fully paid-up members of the National Party. I can see the honourable member grinning; he knows that I am telling the truth.

Mr FitzGerald: Absolute bunkum!

Mr BEATTIE: The honourable member said that with a grin wider than the Great Australian Bight. He knows that it is true. Not

only were those people fronted as Independents but also they were regularly funded by the local National Party branch. So when National Party members talk all this nonsense in this place about candidates in local authority elections, and attack the Labor Government for promoting amalgamations, they do so tongue in cheek. They know that they are pursuing a political agenda. At the end of the day, we need a degree of honesty.

Mr Mackenroth: They'll have to put it on their pecuniary interests sheet.

Mr BEATTIE: That is right. That is why, under this legislation, we will not have any more of that fraudulent political behaviour, because it will be obvious to everybody which candidates are members of the National Party.

Mr Mackenroth: Either that, or else the membership is going to drop.

Mr BEATTIE: I take that interjection. Membership is dropping and, with this new provision, it will continue to drop. We do need a degree of honesty. If candidates are members of the National Party, they should not campaign as Independents. We should have everything up front, so everybody can see. There should be no deception; nothing should be hidden. The world should know and, as a result of this legislation, the world will know.

Before I move on to another matter, I have to say that I was appalled to hear the honourable member for Callide suggest that pregnant women near term can get to voting booths as well as anyone else. I can understand her attempt to develop a feminist agenda, and I congratulate her on that. She is getting close. She is getting better, but she has not quite got there. The reality is that, very frequently, pregnant women do not know—as the member for Callide is probably aware from her own experience—when the birth will take place, and it may well be that they are not prepared to go to a polling booth. Under those circumstances, if an electoral visitor vote cannot be provided to assist women, I think that is a very poor state of affairs.

Mr Ardill: It is uncivilised.

Mr BEATTIE: I take that interjection. This is one of the greatest faux pas that the member for Callide has ever made.

Mrs McCauley interjected.

Mr BEATTIE: Come on! The reality is that the woman concerned may not feel like going to vote if the time when the baby will be born is close. I know that it is a long time since the member for Callide gave birth, but it has been a more recent experience for my family. I recall more vividly the later stages of pregnancy than perhaps the member for Callide does, so I suggest that she should talk to people who are more closely concerned with these matters and who have the circumstances of such events a little fresher in their minds.

Mr T. B. Sullivan: Others seem to have more common sense than the member for Callide.

Mr BEATTIE: That is exactly right. It has been traditional for most State Governments to accord local government a legislative or law-making power to make laws that are enforceable in the courts to control activities at the local level. It has been equally traditional for State Governments to restrict the ambit of this power and to define very narrowly the circumstances in which a local government can exercise its law-making power. In other words, a State Government can strictly limit the autonomy of councils in choosing the laws they wish to make to regulate local activities.

In 1924, it took an ALP Government to break from this tradition and to grant the newly formed Brisbane City Council a general competence power. The council was charged with the government of the city, not just the performance of a discrete set of nominated functions, and had the power to make ordinances for the exercise of its jurisdiction. The Act also spelt out a large range of specific matters over which the council could exercise control and make ordinances. In 1936, it took another ALP Government to extend this concept to all councils in Queensland. This brief history gives a clear indication of the Labor Party's commitment to local authorities and refutes many of the things said by the member for Callide. The extension was achieved by including similar provisions in the new Local Government Act which charged councils with the good rule and government of their respective areas.

Mrs McCauley: You're not reading this, are you?

Mr BEATTIE: Yes, I am reading part of it. The only difference between my speech and those made by the member for Callide is that I wrote the speech and I am not reading it with the sense of discovery often experienced by the member for Callide.

As I was saying, it was believed that the words in the statutes were sufficiently wide to enable councils to make by-laws and to generally govern for the good of their local communities. However, over the years, varying legal interpretations were placed on these

provisions, and in some cases it was argued that the broad power to make decisions for the good rule and government of the area should be read down. Some believed that if a specific power or function was not listed in the Act, a council could not perform the function. As a result, there were times when Parliament had to amend the Local Government Act and add an additional function before a council could undertake it or make laws about it.

In 1993, it has taken another ALP Government to introduce legislation—that is, the Local Government Bill—that is designed to grant councils the autonomy to truly govern at the local level. That is one of the reasons why the term "Local Authority" has been replaced by "Local Government"; it is seen to be a genuine system of government. The Bill provides that, in exercising its jurisdiction of local government, a council has a law-making role for local laws and an executive role for the adoption and implementation of policy, the administration of local government, and the enforcement of its local laws. A local government exercises the jurisdiction of local government for all parts of its area, and that jurisdiction is to make local laws for, and otherwise ensure the good rule and government of, its area. Local laws can be made on any matter that is required or permitted under any Act or that is necessary or convenient for carrying out or for giving effect to a council's local laws. The only general limitation on its jurisdiction is that a local government cannot make a law that the State Parliament could not make, or which attempts to exclude or limit the future repeal or amendment of a local law. Both propositions are perfectly reasonable and are based on law.

A local government also has no jurisdiction to do anything else that the State cannot do. If it happens that a State law and a local law are inconsistent, the State law prevails to the extent of the inconsistency. A similar philosophy applies under the Australian Constitution to the relationship between Commonwealth and State laws. It is a measure of maturity of the local government system and the relationship between the State and local government that has led to the granting of this broader charter of government. Without a doubt, this is the widest general competence power or charter that has been granted to a local government system in Australia. If I can say something complimentary about the honourable member for Callide——

Mrs McCauley: That would be nice.

Mr BEATTIE: It would be nice and it would be different. I was pleased that, at the outset of the speech made by the member for Callide when I thought she was going really well, she supported a large number of the provisions of the Bill. Unfortunately, thereafter her speech deteriorated. A great responsibility has been placed on councils in Queensland because of the autonomy they will have in relation to what they can do and how they can go about their business. The expectation is that councils will use their new powers wisely, and that they will govern and make decisions for the good of their local communities. As a result of other provisions in the Bill, councils will also be very much accountable to the local community for their decisions. This legislation represents the third major advance in the development of local authority power in this State since the beginning of the century. I believe that that should be applauded by all members of this Parliament. In the few minutes that remain for my speech, I wish to deal quickly with two matters.

Mrs McCauley: Say something more—another nice thing about me.

Mr BEATTIE: I will, but I will have to think about it. In terms of the other two matters that I want to raise, one is in relation to the greater performance standards to which the honourable member for Callide referred, and includes the need for annual reports and corporate plans, etc. The reality is that in recent times local authorities have become more professional. To their credit, I believe they have worked very, very hard to become more professional, not only in terms of the people they employ but also in the way in which they carry out their tasks. Honourable members can be genuinely proud of the level of competence generally throughout local authorities in this State and of the work and achievements of the Local Government Association and the Department of Local Government in assisting in the development of professionalism. Therefore, I do not agree with what the honourable member for Callide said about the so-called extra pressure that these performance standards would require. Local authorities are moving towards greater professionalism anyway, and anybody who is involved in local government would realise that an annual report and a corporate plan are necessary parts of a system of administration that is designed to ensure that ratepayers get good value for their money. I do not believe that there would be any concern about that development, nor do I believe that local authorities would resist it.

The last matter to which I wish to refer concerns the south-east corner of the State and general cooperation. One of the things that has occurred recently has been the establishment of the Regional Planning and Advisory Committee that is chaired by the Honourable Minister, Mr Terry Mackenroth. This has led to the production of the SEQ 2001 report and, for the first time, an analysis of the necessary growth that will take place in the south-east corner of Queensland.

Mrs McCauley: Where's the money going to come from?

Mr BEATTIE: That is a very good question.

Mr Mackenroth: It is saving money. That's what it's all about—saving money.

Mr BEATTIE: I take the Minister's interjection because, unless some planning and coordination between local authorities is provided for, money will be wasted and the south-east corner of this State will be an administrative mess. I congratulate the Minister on this initiative and I hope that when the recommendations of the SEQ 2001 report are considered, they will be supported by all members of this Parliament. The latest statistics showing the proportion of national population as at 30 March 1993 and the share of growth for the 12-month period ending at that date indicate that Queensland's share of the national population is 17.6 per cent and its share of the growth is 44 per cent. Those statistics cannot be ignored. Unless all local authorities continue to cooperate with the Minister and the State Government, the south-east corner of Queensland will be an administrative nightmare. I assure the Minister that, as a parliamentary representative of a Brisbane electorate, I will do everything I can to support his initiatives to bring about greater cooperation in planning the future of the south-east corner of this State. If we do not work out where roads, schools and our public transport system will go, we will end up with a nightmare.

Time expired.

Mr LAMING (Mooloolah) (4.59 p.m.): I rise with pleasure to participate in the debate on this very important Bill. One could say that it is perhaps overdue. Approximately 10 years ago, Mr Harold Jacobs was considering a rewrite of the Local Government Act. I thank Mr Maurie Tucker and Mr Geoff Baker for assisting myself and others to clarify some of the clauses of this Bill that, at first glance, were a little obscure. As my colleague the member for Callide stated, the Opposition supports the Bill. I will not waste the time of the House by outlining the measures that we support. There are 10 speakers from the Government side, and I am sure that they will cover those matters adequately. I will address my remarks to 10 or 12 items that cause me concern.

I want to follow the sequence that the Minister adopted in his second-reading speech and begin with the role of local government in general. I note that the oath of allegiance has been removed from the Local Government Act. A declaration now applies. I view that with some sadness. If we truly believe that local government is an important tier of Government in this country, it should be treated in the same way as the other two tiers. I regard local government as the most important tier, followed by the State and Federal Governments. In a constitutional monarchy, the monarch is the head of all Governments. I believe that the oath of allegiance should not have been removed from the Act.

The member for Callide, who led the contribution to this debate by the Opposition, referred to some of the changes that have occurred in local government over recent years. She referred to the gradual shift from property-based services to areas of social, economic and environmental importance. However, I sound a note of caution. Even though that shift should continue and has some real benefits for the community, there is a great danger that local government will finish up with many responsibilities that should be the domain of Federal and State Governments. It is very difficult for a local authority to be responsible for the state of the economy in its area. That is clearly the responsibility of Federal and State Governments. Councils that endeavour to increase economic activity in their region can encounter problems with people in the local community, some of whom may object to some of those development proposals.

At the other end of the spectrum is the social responsibility assumed by some local authorities. That can be a problem in regions where a significant proportion of the population is reliant on pensions and other benefits. There may be a heavy preponderance of people who rely on welfare. If welfare becomes a responsibility of local government rather than the Federal Government, the property-related services for which local authorities have traditionally been responsible may be affected.

I turn to local authority elections. In his second-reading speech, the Minister referred

to local authority elections being consistent with State Government elections. However, that does not apply to fixed three-year terms. In that regard, the Minister has followed the recommendation of EARC, which stated—

> "The present practice of a fixed election date for the whole of the Council is widely accepted and supported. It should not be changed except for good reasons. The Commission is not aware of any such reasons."

I subscribe to that view. I support triennial elections. For the sake of consistency, perhaps the State Government should also adopt a fixed election date, rather than having election dates decided at the whim of the incumbent Government. An inconsistency is operating in that respect.

Another inconsistency is the way in which local councillors and mayors are elected. Page 33 of the EARC report stated—

> "(c) thereafter electors of an LA should be able to change to any one of the three voting systems referred to in paragraph (b) provided a majority of electors support such a change at a poll conducted at the initiation of the Council or following a petition from 10% of the electors."

I am not surprised that the Minister did not adopt that recommendation, because it would have represented the endorsement of a voter-initiated poll, which is not the policy of this Government. This legislation represented an opportunity for the Government to include measures such as citizen-initiated referendums. That type of democracy could have been tested at the local government level before it was embraced, as it eventually will be, in State and Federal arenas.

I agree with my colleague the member for Callide that electoral visitor voting is a problem. It is very administratively cumbersome. I wonder whether a provision in that regard should have been a part of this legislation. Perhaps voluntary voting would have avoided the need to go to the trouble and expense of electoral visitor voting at local government elections.

Mrs Edmond: Some people want to vote and find it difficult.

Mr LAMING: I take that interjection. There is no connection between voluntary voting and people not being allowed to vote. I might add that people can use the postal voting facility as an alternative to electoral visitor voting. I note that political parties may now appear on ballot papers. I applaud that measure. I think that it is a move in the right direction.

During this debate, I am sure that many members from both sides will refer to the titles of local government representatives. "Mayor" and "councillor" are the titles that have been selected. I do not believe that this is a very important issue. In a few years' time, the issue will have faded, and we will get on with the serious business of governing people. The important issue is how we go about that task, and not what title people are given. Personally, I would have preferred the title "president", as is used in New South Wales. I believe that was recommended by others.

Mr Mackenroth: Some people thought that we would mix it up with the republican debate, and we wouldn't want to do that.

Mr LAMING: I take the interjection from the Minister. It would be a great pity if the hard-working people in charge of local authorities were given that title and it was denied to Mr Keating!

I turn now to dual candidature. The EARC report rejected dual candidature as a positive measure. That report stated—

> "The Commission recognises that denying persons the opportunity to contest both Mayor/Chairman and Alderman/Councillor positions may have the effect of discouraging talented persons from nominating for Mayor/Chairman for fear of missing out on a council position altogether. However, the present system seems to produce effective representation. The Commission considers that the complications that would result in permitting dual candidature outweigh any marginal advantages that accrue . . . "

I do not agree with that sentiment. I believe that many councillors who are potential mayors see the possibility of missing out on a council position altogether, so they elect to stay within the council. I believe that local government would be better served by the opportunity being open for councillors to nominate for both positions.

I turn now to the State jurisdiction over local government. In his second-reading speech, the Minister stated that the councils represent a genuine system of government. I believe that any level of government can be genuine only if it is responsible. I do not believe that that is possible if State law can prevail over local law. The member for Brisbane Central referred to the scenario in which Federal law prevails over State law only

where an inconsistency is evident. However, the same protection is not provided in the Local Government Act. In the Australian Constitution, the States have residual rights, and Federal law overrides State law only if an inconsistency is evident. However, local government does not have any residual rights, and the State may override local laws. I think that is a weakness of this legislation.

The fifth point refers to the abolition of fund accounting, and along with that is the abolition of financial separation. That will soon be completely gone, if it has not already gone. Having been a councillor in a council that enjoyed—and I say "enjoyed"—financial separation, I can see that there are many advantages in councillors being entirely responsible for the rates raised in their own area, the level of rating, the rate in the dollar, the minimum rate and the spending in their division. I know that that goes against the tide of current thinking. However, many advantages of divisional or financial separation will be lost. When councillors go back to their voters, they will say, "I am very sorry, but I was outvoted by the rest of the council." I have seen it happen already. It did not happen in the past when councils had financial separation. I see that as a very sad aspect of some of the more recent movements in local government.

I refer to the equal employment opportunity management plan. That seems to be quite a mouthful. The Minister might like to make a note of this. I can understand an equal employment opportunity policy, and I would subscribe to that. However, I ask the Minister to explain to me what a "plan" is, and does it mean that councils would be required to introduce affirmative action?

I turn to the supply of goods and services. In his second-reading speech, the Minister said that local government must have regard to the five principles taken from the State Purchasing Policy: open and effective competition, value for money, enhancement of the capabilities of local business and industry, environmental protection, ethical behaviour and fair dealing. I do not have any problem with those principles. I would like the Minister to explain to the House whether the enhancement of the capabilities of local business covers the issues of a purchasing policy of precedence for local business. Is there an aspect of that principle under which a State Purchasing Policy gets a percentage premium, and could it include a national purchasing policy as opposed to the purchasing of overseas goods? That would be eminently suitable for local government purchasing to assist employment locally, in this State and in Australia, in that order.

I turn to the very important issue of rating. I notice the dogged determination to insist on following the UCV rating system. For many years, I have been an exponent of the principle that the UCV system of rating properties is most unfair on many people. Because time is against me, I will not go into a long dissertation on that subject. I am pleased to see that there is now a lifting of any doubt on the percentage of properties to which the minimum rate can apply. I see that as a good aspect of the Bill. I notice that the differential rating system can be applied on valuations. I see that as a move in the right direction.

Some years ago, I made a submission that consideration should be given to the application of a maximum rate. If a council with the best of intentions can include a minimum rate as a part of its rating procedure so that all people are expected to make a contribution to a reasonable level, there is no reason why a council should not have the facility to include a maximum rate so that no individual must pay much, much more than the cost of services to the average ratepayer. That would be an improvement to that part of the Bill dealing with rating. We must wait for the regulations to see the effect on rating remissions to religious, charitable, education and public bodies. I noticed that environmental concerns were not mentioned in that list. Perhaps they might be a part of the regulations when they come through. Environmental concerns are not listed in the Bill.

I turn to remuneration for councillors. In his second-reading speech, the Minister stated that local government must specify the principles of the remuneration system. I can follow that. He also said that local government must specify not only the principles but also the reasons for adopting the principles. I would like some clarification of what is meant by the "reasons for adopting the principles". I do not know how far one must keep going back to work out they way in which people think about their principles.

Open government is a very interesting issue. Once again, I refer to my brief experience in local government, when the idea of open committee meetings was constantly being debated. Our council did not have open committee meetings, and our meetings worked very well. An adjoining council moved to open committee meetings, and I do not believe that they worked any better. In his second-reading speech, the

Minister referred to open councils and committees as being fundamental to ensuring community scrutiny of the decision-making process. That sounds very good. However, if open committee meetings are held, some of the real decisions move back into a pre-committee situation conducted in the kitchen, over the telephone or elsewhere before the open committee meeting takes effect. If a fundamental right of ensuring community scrutiny of the decision-making process is so important, I wonder why the Labor caucus and perhaps the State Government Cabinet are not open to the public. That is where a lot of decisions are made that affect all of Queensland.

I have some concerns also about the joint local governments. I believe in regional planning in local government areas. At an SEQ 2001 meeting that the Minister attended, I commented that State parliamentary representatives should be included in that process. I have some concerns about the functions of joint authorities. From my reading of the Bill, it appears that it covers everything other than the levying of rates. I have a question that I would like the Minister to address in his reply. It appears that local authorities can be joined in a joint local authority without their asking for it or perhaps without their permission. I would like some clarification on that point. The Local Government Association has said that that impacts severely on the autonomy of the local government system. If a joint local government decision is unpopular with the people, who then becomes responsible for that decision?

I turn to staff. I notice that the requirement of the certificate from the Local Government Clerks Board has been abolished. I wonder now who can set the standards. The Bill refers to certain standards, but who sets the standards? The Bill provides an opportunity for jobs for the boys or jobs for the girls to be introduced.

Mr Stoneman: Jobs for the persons.

Mr LAMING: It is all right. I have referred to both; I do not know of a third category. The Local Government Association once again said that the Institute of Municipal Management should be asked to establish minimum standards. That would be another reasonable option to take. We must make sure that merit is not lost in the selection of staff.

In his second-reading speech, the Minister also mentioned staff discipline. Misconduct, incompetence and neglect of duties are obviously matters that must be addressed. Under the Bill, those matters can be dealt with by reprimand, fines up to $120 and demotion. I have serious doubts whether local authorities should fine employees. Fines belong in courts. Other mechanisms can be used to discipline staff. If a fine were appealed—and it certainly would be in many cases—that process would cost more than the fine was worth. There are other privileges, such as the use of a council vehicle, a nine-day fortnight and promotional prospects. If a person is incompetent, for goodness' sake, that person should be dismissed.

State intervention has been justified on the basis of State interests and the protection of public confidence. If a council operates in an illegal fashion, once again that should be the preserve of a court. If a council is unwise, surely that is something on which the electors should take action at the subsequent election. It should not be an area for the State Government to enter.

Time expired.

Mr DOLLIN (Maryborough) (5.20 p.m.): I rise to join the debate on the Local Government Bill 1993. This Bill has been long in the making and, I believe most honourable members would agree, is long overdue. The present Act was introduced in 1936, some 57 years ago, when the principal focus of local government was about providing basic community services such as sewerage, water, roads, streets and a few other property related services.

Though these basic services are as important today as they were 57 years ago, the general population has a greater expectation of local government today and it demands more of it. This Bill makes many good alterations and additions to the Local Government Act, but the most important thing it does, in my view, is cleans up the Act. It boots out the gerrymanders; it boots out the rorts of the past in land development. It puts an end to the days where a crook could get elected to local government in a fast developing region and become a millionaire in next to no time by nest feathering themselves or nest feathering their big development mates.

I will now quote what a prominent member of the National Party had to say about the corruption that goes on within some local governments. This prominent person is Bill Gunn, a man a lot of Queenslanders would believe is gun-barrel straight. I do not know what his colleagues on the other side of the House would think about that, but what I

do know is that he established the inquiry that exposed the National Party Government for what it was—corrupt. All Queenslanders should be grateful to Bill Gunn for that. I quote from an article in the *Courier-Mail* on 30 June 1993 that was headed "Corruption runs deep: Gunn"—

> "Queensland's Fitzgerald Inquiry touched only the tip of an iceberg of corruption, the man who established the inquiry said yesterday.
>
> Former deputy premier Bill Gunn, 73, recovering at his Laidley property after a heart attack six weeks ago, said the landmark inquiry that uncovered a web of police and official corruption could have continued for another two years.
>
> 'With due respect to Tony Fitzgerald (who headed the inquiry) it was only the tip of the iceberg,' Mr Gunn said. 'Once they started looking at local government they realised it (corruption) was a major problem.'
>
> Asked whether he thought corruption was still a problem in local government Mr Gunn said: 'I think it is.'
>
> He said the inquiry's most important legacy was that it had changed attitudes of politicians and public officials who now realised it was difficult to get away with corruption or improper behaviour.
>
> Nonetheless, Mr Gunn said the Fitzgerald Commission of Inquiry had enough material to continue much longer than its two years.
>
> 'But as Sir Max Bingham (the first head of anti-corruption group the Criminal Justice Commission) had said . . . 'there was enough blood on the floor', Mr Gunn said."

Now I will address the section of the Bill that deals with election provisions. As the Minister has already indicated in his second-reading speech, the local government elections to be held on 26 March 1994 will be conducted under the most democratic arrangements ever to apply to the local government system in this State.

This Goss Labor Government will ensure this will be the case by requiring the equitable divisions of local government areas and the assignment of councillors to these divisions. Gone are the days of the gerrymandered council divisions where some divisions had as few as 100 constituents and others as many as a thousand.

The Liberal and National Parties used this control to rort councils for the last 30 years. But no more, as this Bill requires that in determining the electoral arrangements for a divided local government there will be an allowance of 10 per cent applied to the quota for electing a councillor in a local government with more than 10 000 electors and 20 per cent where there is less than 10 000 electors in a local government area. These criteria were introduced into the existing Local Government Act last year to enable redistribution to be done in time for the forthcoming local government elections.

This Bill also provides for a new set of rules to deal with the conducting of future local government elections that are fair and just. They have been drafted, having in mind the recommendations of EARC, which stated that local government elections should remain under the Local Government Act and should be identical, as far as practicable, to the present State electoral requirements.

This Bill sets out to make sure that electors have every opportunity to vote and, in fact, to cast a formal vote, no matter what their circumstances may be. This Goss Labor Government insists that all citizens are given their democratic right of having their vote to enable them to have an equal say in who will represent them in local governments in the future.

The key elements of the Bill dealing with local governments will be that the local government elections will be conducted triennially, with the chief executive officer or shire clerk or city administrator, as we know them today, of each local government being the returning officer for the election. It will be necessary to hold an election where a vacancy occurs in a councillor's office before 1 March in the first year preceding the election. After this date, a vacancy must be filled by a qualified person nominated by the political party that endorsed that vacating councillor, or should it be that the councillor was not endorsed by a political party, the local government would then appoint a qualified person after calling for expressions of interest from constituents of the local government authority to fulfil that vacancy.

Those people entitled to vote at the local government election will be the same voters who would vote under the Electoral Act 1992 for State elections. The Governor in Council is also empowered to direct that a fresh election be held when a local government is dissolved for any reason, when amalgamation takes

place, or a major change is made to external boundaries or other electoral arrangements.

The balance of the provisions of the Bill are those which will apply to council after the 1994 elections. The voting system will be either optional or preferential, or first past the post. Where a local government has one councillor to a division, each councillor, as well as the mayor, will be elected under the optional preferential system. In all other cases, first past the post voting will apply.

As is the case with our State election, this Bill enables returning officers to declare mobile polling booths, where a part of a local government area does not have enough electors to justify the setting up of a polling booth, or where the returning officer is satisfied that residents in institutions such as retirement villages, hospitals and the like should be able to vote at such institutions.

Other electors who are ill, disabled, in an advanced stage of pregnancy, or those persons caring for them, will also be able to make an application for an electoral visitor vote. An issuing officer will visit such electors to enable them to cast a vote.

Other circumstances will entitle constituents to make application for a declaration vote or postal vote. For example, the elector who may be away on holidays, not able to get off work, be ill, or gone fishing on polling day, there will be provision made for declaration voting to be taken at council offices, or other conveniently arranged places, prior to polling day.

Electors may vote as a declaration voter during normal business hours in the period commencing 14 days before polling day and not later than 6 p.m. on the day before polling day. This Bill will give electors wide-ranging discretion in the marking of their ballot papers. For example, they can be marked with the figure "1", a tick or a cross where one candidate is to be elected, as well as by marking a "1", "2", "3", "4", and so on, as is the current State law. In addition to this, the Bill allows an elector, as well as marking a ballot paper, as I have just explained, to use some other writing or mark to indicate their preference. This will eliminate most of the informal voting and does not discriminate against any constituents.

As is the case with the current law, the returning officer is required to declare the result of the poll and the names of the candidates who have been elected as soon as possible after polling day. This must be done when the result of the election is clear, even though all votes that may count in the election have not been received by the returning officer. There are other built-in safeguards to keep the system honest. For example, an application can be made to the Supreme Court for an injunction by a returning officer, or a candidate, against a person who has or is engaging in conduct which would constitute a contravention of the Act.

An elector of a local government can also apply for a review under the Judicial Review Act 1991 in relation to the lawfulness of an election, the appointment of a councillor or the eligibility of a person to act as a councillor. This is to ensure that electors are given the opportunity to receive legal standing under the Judicial Review Act of 1991 for certain local government electoral matters.

As the Minister mentioned in his second-reading speech, one of the basic aims of this Bill is to provide local governments with increased autonomy and flexibility in what they can do and to balance this with the appropriate level of accountability. The cornerstone of any accountability measures for a Government are fair and democratic elections. This Bill delivers that. I support the Bill.

Mr STONEMAN (Burdekin) (5.30 p.m.): Firstly, I would like to mention the people who have been involved over the years in the review that culminated in the new Local Government Bill. I pay tribute to Harold Jacobs, Ken Mead and Maurie Tucker, former Directors of the Department of Local Government. I pay tribute to the work that they have done and the way in which they embraced the philosophy of the need for local government to maintain its critical role as the tier of government closest to the people. I recognise the incredible amount of work that local government is taking on in this day and age. I commend them for that.

I commend the Minister for adopting what would seem to be a fairly reasonable package of recommendations. As the shadow spokesman for Local Government indicated, the Opposition supports the Bill. However, we do have concerns about it. Obviously, the dab hand of the philosophical component of the Government is involved. I acknowledge that that is the prerogative of the Government of the day. But it is sad that, in some instances, it has been a little more involved than might have been necessary. Nevertheless, I do not want that to diminish the very genuine work commenced in the days of Harold Jacobs before this Government came to power.

Mr Beattie: We did some of it.

Mr STONEMAN: I am trying to be a bit more global in my thinking than the member for Brisbane Central. That is the sort of inane comment that we have to expect from time to time from that honourable member. He is turning his electorate into a marginal one, so he is concerned.

In commending the current and former Directors of the Department of Local Government for the processes undertaken over a five or six year period, I note that the record of this Government over the last four years in respect of local government has been generally abysmal. We have spoken about its agenda at great length, and I will not go into it in detail this evening. There has been a determination to impose on local government a greater degree of responsibility than it would like to accept. That is the philosophy of the Government. I will come back to that in a moment. I take on board the comments of the member for Mooloolah about the shift of local government emphasis towards what one might call the more social responsibilities of the community. That is a very valid point.

On numerous occasions it has been brought to my attention that there is a tendency for both State and Federal Governments to create programs within the structure of communities. In doing so, they set up an expectation of assistance with funding for all of the components of the various programs to assist people in the community. In many instances, these programs assist people with a very great need. But local governments are then left high and dry. This is a major concern. After all, local government is about providing the basic services that the community requires—maintaining roads, collecting rubbish, and so on.

As our society grows, there is a greater need to provide library services, entertainment and cultural centres, and so on. Nevertheless, that does not take away from the concern raised by the previous Opposition speaker about the ever increasing encroachment and the forcing upon local government of a lot of responsibilities that this Government might regard as being in the social justice area. That imposes a workload on the administration of local government and also on its costs. It is a very fine line, which the Government has encroached upon considerably.

I caution the Government and all members of this House to be aware of the impositions being made on local government. Those programs take a lot of time and money. As I said, local government is inevitably left with the responsibility of meeting community expectations to continue with those programs. The problem is that the funding generally diminishes, which leads to a greater imposition on the ratepayers.

I turn to my comments earlier about this Government's interference in local government via EARC. I have some concerns about EARC's capacities as it was initially structured. More recently, it was structured to cope with the issue of local government. It was not originally set up to embrace the issues imposed on it by this Government before the current Minister took over. We know that the internal boundary strategy failed. It was a blatant attempt to try to centralise the last local government elections and to bring local government more towards the middle of urban communities. The people of Queensland saw through that and reacted accordingly.

But a number of anomalies have come up. Some of the references that came initially from EARC to the current Local Government Commissioner were very poorly based. That exacerbated the situation that the Local Government Commissioner was faced with, because of the references passed from EARC via the parliamentary committee. Of course, the committee voted along party lines. I was proud to say that, along with the other Opposition members on that committee—and not out of sheer cussedness, but out of realistic assessment—we opposed and dissented in respect of those recommendations. We could see what would happen. Obviously, our assessment has come to pass.

I have difficulty grasping how the differences between each of the major regional and city areas around the State were embraced, not only in the references from the Minister but also more lately by the recommendations of the commissioner. We saw Cairns and Mulgrave totally excluded from any such scrutiny. We know that that was largely because of the presence of the Shire Chairman of Mulgrave, Tom Pyne.

Mr Pitt: He does a good job, too.

Mr STONEMAN: I put on the record that he is one of the people of whom local government can be proud. We need to make sure that people such as Tom Pyne are able to continue to use their experience without fear of having to fight the references that come from the Minister to the Local Government Commissioner and that are now part and parcel of the local government structure in this State. It has changed.

Cairns and Mulgrave were left alone. We have seen that there have been some changes not only at the fringe but also internally in Townsville and Thuringowa. Pioneer and Mackay were totally amalgamated. If that is the sort of consistency that will continue to run through the references in respect of local government from this Government, I fear for the future. The agenda has no consistency. Thank goodness, in this instance, the Bill seems to have a considerable amount of consistency.

Finally, in respect of the local government boundary change structure, I feel sincerely for the people of the Warwick area—the Glengallan, Rosenthal and Allora Shires—in which there is an amalgamation quite against the interests of the community. I think that local councils should not have such amalgamations forced upon them again. I know that, at this stage, the recent Gympie/Widgee change may well be successful, but I make the point that the workload on the councillors as a result of the increased local authority areas is going to be enormous. There is no doubt that the workload will increase and the effectiveness of the councillors and the access to them will diminish. The increase in the size of my electorate has not been very large, but in terms of population it has been a huge increase. That has resulted in a huge reduction in my capacity as a member of Parliament because I serve two major communities which are 100 kilometres apart, and they expect the same type of service as they have received in the past. Those people rarely see their member now, unless they have a problem. Other areas, such as those represented by the members for Callide, Gregory and Warrego, are enormous, and onerous demands are placed on those members. All of these changes are done in the name of fairness and equity, but I think that part of fairness and equity is a need to have reasonable access to one's elected representative. In this case, of course, that is the councillor.

As a result of the rearrangement of the Townsville local government boundary, the people who are going to be in the southern areas of what was previously Thuringowa are going to be served by someone who will obviously have no idea of the enormity of the task, because I do not think that anyone in his right mind would run for that ward. Undoubtedly, some good honest citizen will be elected and someone will have to pick up the workload. The point that I am making is that the increase in the workload by enlargement and amalgamation of local government areas is going to be enormous. It is going to affect the capacity of those councillors to develop a feeling for the local government operation.

I note further on that subject that the new structure within the Burdekin Shire, which is a local authority within my electorate, is going to move to an undivided basis. That was a decision made by the council. I have been critical of the decision and publicly expressed my concern about the decision. I do not think that the decision will serve the people very well at all. In the future, I think that the elected representatives are going to be more concerned about keeping their names in front of the whole community rather than serving the best interests of the people whom they specifically represent.

Another concern relates to the casting vote of the chairman. This also affects the Burdekin area. The Bill maintains the capacity for the chairman to have the casting vote—an ordinary vote as well as a casting vote. I believe that that is necessary. I am concerned about cases in which the chairman's casting vote is used to take a new direction; in other words, to change the status quo. It seems to me that that is not the intent of a casting vote. In most instances, the tradition has been that the chairman casts that vote in favour of the status quo, so that there is no effective change made as a result of a tied vote. The Bill should have recognised that fact. In some instances, that can put the chairman in an onerous position, and I believe that there needs to be more guidance in legislative terms in relation to that. On the other hand, if there is a vacancy requiring a by-election, the chairman is going to have a tied vote to contend with and someone will have to make a decision. So it is reasonable for the casting vote to be applied in that circumstance.

In his second-reading speech, the Minister made the point that he was surprised at the amount of controversy that emerged in relation to the name of the head of the local authority. I am one of those people who has quite a reservation about the broad-brush use of the term "mayor". I think that the term "mayor" is one that we have always traditionally associated with specific urban areas. I believe that it is more appropriate to continue with that line and use the term "chairman" or "president"—it is immaterial to me which one; although I think that "chairman" served the purposes of the community very well. It would be ridiculous to have a mayor of the Diamantina Shire. Out there, one can drive for three days and hardly see another

person. Yet, because of gender equity, the head of that shire will be called "mayor".

Mr Mackenroth: What's wrong with that?

Mr STONEMAN: I am saying that I think that that is ridiculous. The Minister is entitled to his view, but in my view it is ridiculous to have a mayor of a local authority out there.

Mr Mackenroth: Do you think that they're something different to, say, the Mayor of Brisbane?

Mr STONEMAN: The point that I am making——

Mr Mackenroth: I'm ashamed that you would be putting those people down like that, just because they live out west.

Mr STONEMAN: I am not putting them down. I have credibility in the west and friends in local government out there, and I know what they would be thinking—the Mayor of the Ilfracombe Shire, the Mayor of the——

Mr Mackenroth: What's wrong with that?

Mr STONEMAN: What is wrong with "chairman"? That is the point that I am making. The Minister and the members opposite are not going to be happy until we are all riding around on push bikes, wearing collective-type uniforms and all looking the same. They will not be happy until they have taken the words "man" and "woman" out of the vocabulary. They will not be happy until we are all down on the floor grovelling around and waiting for the handout from Big Brother Government.

I believe that there was nothing wrong with the old title, "If it ain't broke, why fix it?" In general, people were happy with the term "mayor" as it related to an urban area, and they were happy with the term "chairman" as it related to the more far-flung areas. This change is simply an effort to be politically correct.

In an urban sense, I have no hassle with the term "alderman". It is recognised that an alderman is a member of a city council in an urban area. That is quite reasonable. I have no particular hassle with the change to "councillor". However, it seems to me somewhat ludicrous to have a mayor of the Diamantina Shire or the Bulloo Shire when, quite frankly, the term "chairman" is recognised. It has stood the test of time and it is more than reasonable. However, I do not think that it is something that we should go to the wall on.

My other concern relates to the costs to local authorities of by-elections in those first two years, particularly in areas such as the Burdekin, which is undivided. Local authorities have had imposed upon them the requirement to hold a general election to replace one single person. That could happen two or three times, or more, in the first two years of any term of local government. The cost could become quite a burden in some circumstances. I am concerned that that type of by-election will serve the purposes of this Government very well, because it will have the capacity to centralise the power further. The clear message is that in a by-election structure, the new candidate may be the good guy down at the football club or somebody who is well known rather than somebody who has worked in the wider community over a long time. A fragmentation exists in those undivided shires where everyone does not know all the residents. A number of communities exist in shires such as that, and I am concerned about that.

Time expired.

Mr NUNN (Hervey Bay) (5.50 p.m.): The previous speaker just bored me stiff. I am going to return the compliment. In a previous debate in this House, I was able to speak about the new Land Act, which replaced the hotchpotch of Acts and amendments that had been a burden upon the Queensland public. Nobody understood fully the previous Land Act. It was extremely difficult to administer, and it was out of date.

This Local Government Bill has been brought in for similar reasons. The need for this legislation is demonstrated in clause 802, which repeals the Local Government Act of 1936 and no less than 98 amendments to that Act. That demonstrates that this legislation is long overdue. As usual, it has been left to a Labor Government to bring in the necessary and long-awaited reforms contained in this Bill. I must say that it has been given broad support by local government in Queensland.

It is timely to remind honourable members of the objects of this legislation, which are contained in clause 3 of the Bill. Clause 3 states very clearly that the objects of this legislation include—

> "(a) providing a legal framework for an effective, efficient and accountable system of local government in Queensland; and
>
> (b) recognising a jurisdiction of local government sufficient to allow a local government to take autonomous responsibility for the good rule and government of its area with a minimum of intervention by the State; and

(c) providing for community participation in the local government system; and

(d) defining the role of participants in the local government system; and

(e) establishing an independent process for ongoing review of certain important local government issues."

Bearing all of those points in mind, it is not unreasonable to expect that the Opposition would have supported this Bill. There is not a bad suggestion contained in that clause. As members can see, it demonstrates the good intentions of Government not only towards local governments but also, more importantly, to the ratepayers of Queensland.

It is my intention to deal with Chapter 7 of the Bill, which deals with the financial operation and accountability of local government and, in particular, corporate and operational plans. Of course, the operative word is "plan". Up until now, the only plan that some councils had was to get themselves re-elected, and things were done on the run. Now councils will make decisions based on the strategic directions arising from their corporate plans rather than relying on ad hoc decision-making, as was the practice in the past. It must be remembered that this Government has allowed local government greater flexibility, and it is one of the requirements of this Bill that this flexibility be balanced by improved management performance and accountability.

Three main principles underlie the corporate planning approach in the Bill. A local government should not exercise its jurisdiction without a statement of its direction in response to issues confronting the area; an over-arching plan is needed to integrate the range of functions local governments undertake, and to provide a basis for all the other functional plans to be prepared, for example, land use plans, total management plans for water and sewerage and drainage as well as traffic plans for the whole of the local government area; and a local government should allocate its financial resources on the basis of its corporate plan. Those principles reflect broadly the approach to strategic planning in the Public Finance Standards that apply to the State Government. That these principles work is demonstrated by the excellent credit rating that Queensland enjoys among financial institutions throughout the world, and a general acceptance that its performance is better than that of any other State in Australia.

If local government is going to change what it does in a systematic way, to adapt to new circumstances, or to take up new opportunities, it must have a plan. For corporate planning to work in local government, a number of elements are essential. Councillors and senior officers must be committed to the process, and there must be access to someone who is actually skilled in planning. An assessment of community views is also essential to find out what people think about local government, its role, and what services should be provided in the future. That process of identifying issues and priorities also needs to be undertaken within a local government, involving both the elected members and the employees. It is aimed at trying to find out where the local government and its area are at, identifying its strengths and weaknesses, the threats and opportunities on the horizon and what the community wants to see happening.

As I said before, if local government is to continue to offer leadership to the local community, it must have a plan. Corporate planning is a logical process to shape what the local government does as well as provide a sense of direction for the local community. The corporate plan will be the umbrella document, setting out how local government will exercise its jurisdiction for particular functions of local government, which will flow from and reflect the directions set out in the corporate plan.

The Bill contains a number of features to set the broad framework for corporate planning in local government. Each local government will have to adopt a corporate plan. Local governments will have to have operational plans, and they will have to base their budgets on such plans and report in their annual reports on performance under these plans. Many local governments have prepared, or are in the process of preparing, corporate plans. I must say that the City of Hervey Bay has had a corporate plan for years. That is mainly due to the foresight of its present Mayor, Mr Fred Kleinschmidt. The Bill sets 30 June 1995 as the deadline for all local governments to have their corporate plans in place. That will give local governments that do not have a plan time to do the job properly, and those that do have such a plan time to modify or revise the plan to bring it into line with the requirements of this Bill.

The corporate plan is the local government's plan. It is not the plan of a particular department, or a division of local government. It is also not a plan by staff members on how to organise their activities

and to implement their local government decisions. It is the plan of the local government, and it is the basis upon which the local government proposes to exercise that broad jurisdiction to which I have referred over a number of years. Councillors must have a far more direct and detailed involvement in the development of a corporate plan for a local government than what would generally occur for departments at State level. In this light, the Bill recognises specifically that the role of an elected member includes participation in the formulation and adoption of the corporate plan. The local government's corporate plan also has to be much broader than a plan for a private organisation because it is a plan for the Government of an area, and not just the implementation or provision of a number of discrete functions or services. Such a plan would require an assessment of local and regional issues, external factors affecting the area and the local government's operating environment before setting down the aim of the local government, the goals that it wants to achieve over the next few years and the strategies to achieve those plans.

Under this Bill, the matters to be addressed in a corporate plan will be set out in the Local Government Finance Standards along with what is intended in the operational plan. Councils also have a diversity of clients to respond to. Therefore, it is vital that the public as well as business and community groups are all involved in the corporate planning process for each local government. The Bill does not impose a partition process on the expectation that best management practice demands that this should occur. However, before a local government adopts its corporate plan, it must be open to inspection for at least 30 days.

A corporate approach has also been pursued in other parts of the Bill, in particular Part 3 and Part 4 of Chapter 12. In the past, the absence of any clear definition of the roles and responsibilities of all the key players, that is, the council, the mayor, the individual elected members, the clerk and other staff, has meant that different councils have adopted different approaches and operating styles. At times, that has worked, but there have also been occasions on which the opposite has been the case. Sometimes, the old pals' club reared its head, and the "You scratch my back and I will scratch yours" mentality prevailed. Hand in hand with the move to a corporate approach in the Bill is the definition of the roles of the key players to better fit the corporate approach.

Sitting suspended from 6 to 7.30 p.m.

Mr NUNN: As scintillating speeches in this House are few and far between, it gives me great pleasure to take up where I left off before the dinner recess. Councillors will be expected to make decisions in the public interest and to formulate, adopt and review the corporate and operational plans, to approve the budget, make decisions to achieve the goals, and implement the policies of the council. They will also be required to spend more time on strategic issues and on reviewing performance, and less time on ad hoc decision-making.

The chief executive officer will be responsible for implementing the decisions of the local government and he will be accountable for the performance of the staff. It is he who has the role of implementing the local government's policies and decisions as well as attending to the day-to-day management of the local government's affairs. The mayor will be the link between the local government and the chief executive officer and will ensure implementation of the local government's decisions.

Local government councillors may ask for help or advice from the chief executive officer or, if the request is made under guidelines made by the chief executive officer, he may ask that advice of another employee. This will abolish the practice that some councillors employed when they interfered with the good running and administration of the council's affairs—sometimes with an ulterior motive. The old pal's club has suffered another blow from that part of the Bill.

The local government will be accountable to the public for its performance at election time. The main accountability document is the annual report, which is linked to the corporate plan and the operational plan. In summary, a corporate plan, coupled with plans for particular functions of local government, can ensure that resources are directed to achieving directions set for the community and that staff are held accountable for their performance. The local government will also be held accountable for its performance through the electoral process and by reporting on the success of implementing its corporate and operational plans in the annual report.

There is no chapter, section or clause in this Bill that is not important. However, I consider that the most important part is the one that promotes the concept of open and accountable local government on the basis that it gives the stakeholders in a council access to the council's forward planning and decision-making processes. It is important that

an informed assessment can be made of the council's success in achieving its goals and in meeting community expectations. If this success is attained, it will not only assure the community that due processes are being followed but also will encourage community contribution and participation.

When this Bill is passed, councils will be judged by the ratepayers at the time of local government elections. It will no longer be a guessing game in which the ratepayers, in an attempt to get it right, more often than not rely on pot luck. This Bill will ensure that when ratepayers go to the local government polls, they will be fully informed regarding not only the ability of their councillors but also the outcome of decisions that are made on their behalf by those councillors. I congratulate the Minister and his officers on what I am sure will prove to be landmark legislation. I support the Bill.

Mr BEANLAND (Indooroopilly) (7.34 p.m.): I rise to speak to this most significant piece of legislation which can only be gauged by the importance of local government in this State. I particularly want to address my remarks to the effect that local government has on the day-to-day lives of citizens as set out in the objects of the Bill, which is a very important part of the legislation. At the outset, let me say that I am pleased to see that there will be greater use of the term "local government" to refer to the third tier of government in this State. I might add that, in the eyes of many people, local government is the most important tier of government, and "local government" is a far more fitting term than is "local authority". "Local government" indicates a status of autonomy. Local government should never be compared to a statutory authority. Let me say, however, that judging by the actions of the present Government, I believe that, at times, local government is regarded as a statutory authority by the Minister.

I take this opportunity to congratulate the Local Government Association for the tremendous work it does in representing local governments throughout Queensland, and for the role it plays in assisting local government. The Local Government Association was established to assist local councils, to be called upon to give advice whenever it is needed, and, when required, to further represent local government in the halls of power at the State level. For example, the LGA goes to the Minister or calls upon the Minister for support and represents local governments in a number of other ways.

Although in one breath the Government in this State is saying that local government is autonomous, in another breath it is discussing plans to force through amalgamations and impose on all local governments a Queensland Treasury Corporation performance dividend. During the current financial year, local governments will be called upon to bear a burden amounting to approximately $7.5m, which the State Government expects to receive by way of the QTC performance dividend. Because of the huge borrowings presently by the Brisbane City Council, it will contribute something of the order of $3.5m to $4m. This indicates a system of double dipping or double taxation of local government ratepayers is operating throughout Queensland. One only has to refer to the fact that local governments are required to pay the performance dividend irrespective of whether they have borrowed from the QTC or not. That is absolutely disgraceful.

When members of Parliament consider the words and objects of this Bill, it is quite obvious that the Government has its hands in the pockets of local government in this State by virtue of the Queensland Treasury Corporation performance dividends. The requirement could be described as a bond which, at the end of the day, will have to be paid by the ratepayers. I do not believe that the treatment of local governments in this manner is in keeping with the spirit of the legislation, and it can rightly be said that local governments are being treated as though they are statutory authorities when they should not be. I understand that 61 local governments are borrowing through the QTC—which represents approximately half of the number of local governments in this State—and that 73 have decided to go their own way and to continue their current form of borrowing. The Treasurer has made it very clear that, regardless of the form that the borrowing takes, local governments will have the performance dividend imposed upon them. I appeal to the Minister to take up this matter with the Treasurer and suggest that by doing so he would go a long way towards achieving exactly what the objects of this Bill describe.

The Brisbane City Council is one of the largest local governments in the world, and much of the effect of this legislation will impinge on that council. According to the Treasurer's Annual Statement, over the past three years there has been a record level of growth in the city debt. It appears that the stage has now been reached that at the end of the three-year term of the present Brisbane

City Council, the increase in the city debt will be 56 per cent—which is a $437m increase—making a total debt of $1,214m. This means that the city debt has increased by $1,800 per ratepayer over the past three years. Because the Brisbane City Council is so keen on borrowing and on running up a city debt that must be met at some stage, the Government will be going against its own objects and its own legislation by now requiring all local governments to pay the performance dividend.

While I am discussing the Brisbane City Council, let me also say that this legislation provides an opportunity for the Minister to indicate to the ratepayers of Queensland the effect of the superannuation amendments that are proposed. After all, because the Minister likes to tell councils what they can and cannot do, he has indicated that he wants to get involved in the affairs of councils. The superannuation benefits to which I have referred will provide a windfall to Brisbane's Lord Mayor of $20,000. Under the current scheme, if he is defeated at the forthcoming council elections, he would receive $22,000, but under the new proposal the Lord Mayor would receive an additional $33,000. In other words, under the new proposal, the Lord Mayor would receive $55,000. That windfall was brought about because the council decreed the current superannuation scheme to be retrospective. I believe that this matter should be determined by the electors of Brisbane at the forthcoming council elections. If people agree that the scheme should be retrospective, that is fine and they can vote on it accordingly. However, the Brisbane City Council and the State Government have no mandate to make such a decision.

The aldermen who were apparently in the wrong faction and who got the axe will also be in receipt of a windfall. Those aldermen who will not be candidates at this election because they have been given the chop by their party will receive a windfall of $20,000. Previously, an alderman who had served only one term was entitled to only $13,000. However, under the new proposal, such an alderman will receive an additional $33,000. Such action does not bode well for the credibility of local government. I bring those issues to the attention of the Minister. The retrospective changes to the superannuation entitlements will come before the Minister for approval. He will be in a position to delay any changes until after the forthcoming council elections.

At the time of the drafting of this legislation, the Minister probably believed that it was a good idea to refer to the head of a council as "mayor" rather than "chairman". I am sure that the chairman of the Perry Shire and other shires will look upon that change as a worthwhile exercise. However, I would have thought that, since the Labor Party is so keen on the word "president", it would have adopted that term. After all, Labor's Federal leader is running around the nation espousing the concept of a president of Australia. This legislation presented an opportunity for the Minister to adopt the term "president". It is quite clear that, in the end, the frustration became so great for the Minister that he threw up his hands in horror and said, "I am sick and tired of it. It sounds like a good idea to use the term 'mayor'." It is quite clear that the Minister is trying to abolish some of the traditions of local government in this State. I do not know that the change of title has achieved a great deal. The same applies to the term "alderman" being changed to "councillor". Although there may be some support for that change, I am sure that just as many people are opposed to it.

I turn to the amalgamation of local authorities. I am disappointed that the Government is not requiring that a referendum be held before local government boundaries are changed. I think that is an extremely important measure. Once again, this is not in keeping with the objectives of the legislation. I have examined those objectives and then perused the legislation to see whether the objectives are reflected in words and in deeds. I have discovered that, on important issues, the objectives are certainly not reflected in the legislation. One would have expected that, if autonomy for local government is the intent of the legislation, a referendum would be conducted before any significant boundary changes occurred. That provision is not contained in this legislation.

As I understand it, the Minister proposes that down the track more amalgamations and mergers of local authorities will occur. However, that will be without the approval of the people who count: the people who have so much pride in their local authorities; the people who work in local authorities; the people who should be able to make a decision about whether they want to keep a local authority; and the people who elect their local representatives every three years. This Government is thrusting aside the views of those people and imposing its views on them. Given those circumstances, it cannot be said that the State Government is providing autonomy to local government. This Government has removed autonomy from local government, without allowing the voters

to have a say in what type of local government they want. After all, if the voters are not in favour of boundary changes, they should not be forced to accept them. People have a far greater attachment to local government than they do to State or Federal Government. In fact, by and large, people do not give a damn about State boundaries. The members of the governing party of this State will soon discover the strength of that attachment to local government, and they will regret thrusting changes upon it.

I turn to local laws and local law policy. This is an area of great confusion. The change from by-laws and ordinances to local laws has not been explained. The legislation refers to State laws. That is fine. In the past, there has been no confusion over the terms "by-law" or "ordinance". I have never struck such confusion. However, I believe that confusion will be created by the term "local law", because it is used in other jurisdictions and carries a different connotation. I view that as change for the sake of change.

As to the dissolution of local authorities—once again, the Minister has vested in himself the authority to dissolve local authorities. The legislation does not provide that an independent inquiry must be held before a local authority can be dissolved; it is purely in the hands of the Minister. He need only be satisfied that the local government has acted unlawfully or corruptly or has acted in a way that puts at risk its capacity to exercise properly its jurisdiction of local government, or is incompetent or cannot properly exercise its jurisdiction of local government. Of course, those issues will be left to the judgment of the Minister. As under the current Act, this legislation leaves it open for the Government of the day to step in and sack a local government. This matter has been the source of a great deal of contention over the years. It is quite clear that it will continue to be a contentious issue. The power still resides with the Minister. Again, that does not tie in with the objectives of this legislation, which refer at length to the autonomy of local government. It is clear that the Government has been making sounds in one direction, but this legislation goes nowhere near far enough. In fact, in relation to providing autonomy to local government, in many cases this legislation has worsened the scenario that currently prevails.

I turn to the importance of local government to business, particularly small business. However, many charges and costs are imposed by local government on those businesses. Local authorities can and do encourage the establishment and growth of business. It is important that this legislation be as free from red tape as possible and as conducive as possible to enabling local authorities to encourage the growth of business. Over the past few weeks, it has come to my knowledge that the Brisbane City Council has introduced new food hygiene by-laws and food hygiene licensing fees, which range from $125 for a limited area to $1,382 for an area of 1 001 square metres and over. Small operators dispensing food will be faced with those extra charges, but no additional checks will be carried out. Already, health surveyors and other officers from local authorities call on businesses that dispense food. Suddenly, one is confronted out of the blue this year with a new food hygiene tax. That is all it is, a new tax, ranging from $125 to $1,382. One can appreciate the significant effect that that tax will have on those small business people who operate within the community and who are looking at ways of employing more people, building up their businesses and generating growth.

The same may be said for the home transfer tax. A number of local governments might be considering the home transfer tax, when people sell or buy a home and a transfer of the title deed takes place. The local councils are now becoming part of the act by imposing their own charges. That will have a very significant effect on the growth of industry and the growth of houses in certain local government areas, particularly as people buy and sell. Elderly people will be affected. Those who are rich and those who are less economically well off in society will be affected by that proposed new tax that we are seeing not only in Brisbane but also in some other local governments.

As to the role of local government in business, there is growth and development and there are opportunities for local government to become more involved in the day-to-day activities of their citizens. I conclude on the issue of rates and their importance to local government. Increases in rates have become so great that, over the past three years, rates in Brisbane have increased by two and a half times the rate of inflation. On the average rateable block of land, water rates alone have increased by 8.6 per cent. The increase of 8.6 per cent is well above the rate of inflation. One can see the significance of that increase for home owners. Business people in the city will likewise be hit by the increased burden of water rates. Because their usage is measured by a meter, businesses pay far and above the amount

paid by the owners of average residential blocks. One can imagine the effect that the 8.6 per cent increase will have on businesses across-the-board.

The role of local government is very important. The way in which it affects business is increasing rapidly. I bring those matters to the attention of the House because of the importance of the role that local government is playing and the way in which it affects business, and to highlight the increase in charges relating to business development around the State. The legislation that the Minister has introduced has many good parts. Unfortunately, it also has a number of provisions that are of concern to local government. I trust that the Minister will, in time, look upon some of those clauses with a view to their amendment down the track.

Mrs WOODGATE (Kurwongbah) (7.54 p.m.): The Bill that we are debating tonight is certainly well overdue. We are amending the 1936 Local Government Act. That is almost as old as I am, so I can tell members how outdated that Act is. Earlier tonight, the member for Hervey Bay said that approximately 98 amendments have been made to the present Local Government Act. Since the days of 1936 when our forefathers in this place thought up that legislation, the role of local government has changed dramatically. Local councils now look after more things than rates, roads and rubbish.

Those of us in this House who have been associated with local government and served some time there would agree with me that the Act that we would use in the local authorities had so many bits of paper and amendments sticking on the pages that it was really time that somebody took a good, hard, long look at the Act and brought it into the twentieth or even the twenty-first century. As one went around the State to local government conferences, one would still find a few old troglodytes who would say, "The Act does not need changing. It has served us well. Leave it alone." That reminds me of the story of my great grandfather's axe that he bought 39 years ago when I was young. It had had seven new handles and five new blades, but it was still as good as it was the day he bought the axe. That always came to my mind when people talked about leaving the Act alone.

The Green Paper was released in 1989. Bill Gunn was the responsible Minister at the time. I remember the days when I was in local government, before I came to this place, when Harold Jacobs retired and was hired straightaway by Russ Hinze as a consultant to rewrite the Local Government Act. I never understood then and I do not understand now why he had to retire before he was hired to rewrite the Act. Nevertheless, times have moved on. Bill Gunn brought us the Green Paper in 1989. Tonight, we have a good Bill before the House.

In common with other honourable members who have served some time as local government councillors and, I expect, in common with others, I am personally gratified to see many wrongs, as I perceived them to be, righted in this legislation. I cite as an example the provision for the registration of councillors' interests. I will quote from one of our local papers, which shows that we even have the Liberal chairman, Rob Akers, on side. He said that major changes include a requirement that councillors must register their interests, which is good, because in the past councillors were accused of taking bribes, doing things that were wrong, accepting things and having interests in matters that were being debated in local government. That will come out in the open now, which is a good thing.

The provision relates also to material personal interests of councillors. When I served as a member of the Criminal Justice Committee, we visited the Mackay and Pioneer Councils. In discussions with those councillors, they were absolutely appalled that I should suggest that they should leave the room when something in which they had a pecuniary or personal interest was being debated. They thought that it was quite enough to sit there and not take part in the debate. Nothing that members of that committee could say made any difference. The member for Mount Coot-tha, Mrs Edmond, the member for Brisbane Central, Mr Peter Beattie, and Mr Robert Schwarten from Rockhampton North were all there and had something to say, but those people could not comprehend that it was correct to leave the room when such a matter was debated. Now, it will happen. To sit there and watch how their mates voted I thought was so wrong, but we could not get——

Mr Bredhauer: Intimidation from the gallery.

Mrs WOODGATE: That is right. That is another wrong, as I perceived it, that has been righted.

I am personally happy that advisory committees may be set up under the legislation. Councils will now have the authority to set up advisory committees. In the past, people were invited to serve on committees in

an honorary capacity. Now, people serving on those committees are given a legal status and can be paid for their services. Some of them do a good job. People such as those from the local Wildlife Association have a lot of input into decisions. I would like to see them being used more. In my neck of the woods, I am sure that they will be used more.

When we received the Bill after the Minister's second-reading speech a week ago, I provided copies of the Bill to my local authority, the Pine Rivers Shire Council. They were all pleased to receive the Bill and to read it thoroughly. I have asked for their input all along. When I asked them on Monday and on Friday of last week whether they had anything derogatory to say about the Bill, they could not come up with anything at all. For the information of the House, I would like to read into *Hansard* a paragraph from a letter that was sent to all councils today over the signature of Greg Hallam, the Executive Director of the Local Government Association. In the overall analysis of the Bill that went to all councils in Queensland today, Mr Hallam stated—

> "In general, the Association views this Bill as fundamentally good legislation, much of it reflecting LGAQ policy, and therefore having its support. We also see it as a victory for both Councils and the Association who have campaigned strongly for many of the Bill's reforms over a number of years. In fact, of some 150 matters of concern raised with the Minister and his Department over the course of development of the White Paper and subsequently the Bill, all bar four alternate proposals were agreed to by the State Government (and these were not fundamental issues). Justifiably, given their limited"——

Mr Mackenroth: I don't know why people say I'm hard to get along with.

Mrs WOODGATE: I have never found the Minister hard to get along with at all. Mr Hallam continued—

> "Justifiably, given their limited resources and currently expanding workload, some Councils may experience difficulty in meeting these changes, but, unlike a lot of other recent changes, the next Act will also deliver corresponding benefits to Councils."

If that is not a seal of approval, I am not here, and I think I am. The Minister's second-reading speech, as all who endured it well know, took over an hour. It was quite a long second-reading speech. I congratulate him on that speech, but I think the whole gist of the hour-long speech was summed up quite succinctly in one paragraph when he said—

> "Our aim in government is to have a local government system that is open, accountable and has the confidence of the people."

I believe in this Bill that is exactly what he has done. He could have said it in two minutes. The Minister went on to say—

> ". . . a system that enables the efficient and effective delivery of quality services to the community; . . . a system that is adaptable and can meet the challenges that face all Government; a system where councils can achieve their potential, and mutual respect exists between the State and local governments; and a system where we work together as partners."

I did listen to the Minister's speech, and I have read it a couple of times since then. I have discussed it with different local councillors in my electorate and we all believe that statement sums it up exactly.

I believe one of the major changes in this Bill is the changing of by-laws to local laws. I will take a bit of time tonight talking about the by-laws that will be renamed the local laws. I believe this Act, in doing this, will treat councils more like Government rather than Government departments. I think that in some of the Federal and the State departments in the past—not so recently, but in the past—local government has been seen as a child of legislation rather than a governing authority.

The Bill provides that in exercising its jurisdiction each local government has a law-making role and an executive or decision-making role. In relation to its law-making role, a local government may make laws on all matters coming within its jurisdiction but cannot make a law that the State has no power to make. A local government is also precluded from making a law which purports to exclude or limit the future repeal or amendment of the law, that is, if a law provides it cannot be amended for so many years unless there was a three-quarter majority of councillors who voted for it, and where a State law and local government law are inconsistent, then the State law prevails to the extent of the inconsistency. I think any fair-minded person will realise that is a very fair thing. It is the only way to go.

These laws will now be known as local laws rather than by-laws, as is the case under our current Act. A common law-making

process for all local government laws has been established, as well as a process for making policies designed to assist in the detailed implementation of the laws. However, the point to be made here tonight is that each local government will be responsible for making its own local laws; there will be minimal intervention by the State; and intervention will occur only if the Minister believes it is necessary to protect the State interest. State interests are defined in the Bill and they are defined in three different ways: an interest that in the opinion of the Governor in Council or Minister affects an economic, social or environmental interest of the State or a region; an interest in ensuring there is an efficient, effective and accountable system of local government; and, last but not least, an interest prescribed by regulation.

There will be three types of local government laws: the local laws; the model local laws about which we have heard so much scuttlebutt; and the interim local laws. The Bill outlines the processes necessary to make these type of laws. The normal process for a local law will be that the local government proposing to make a local law must first advise the Minister and he will indicate whether any State interests are satisfactorily dealt with before the local government may then advertise for public comment, and the local government must give notice of the proposal for at least 21 days, or a longer period as required by the Minister. During this time, copies of the proposed local law will be available for sale, and any person may make a submission in support of or in objection to the proposed local laws. That process has not vastly changed from the present by-laws set up. The local government must—not "shall"—consider all the submissions and decide whether to amend the proposed local law, proceed with it or abandon it.

Unless it is exempted by the Minister, the local government must obtain the authorisation of the Minister that any State interests have been satisfactorily dealt with before it can resolve to adopt a local law. One example is in cases where no amendments are proposed to a local law that was previously cleared for no impact on State interests, and the local government could then automatically proceed to adopt the local law. The local government must adopt the local law by resolution and arrange for the notification of the local law in the *Government Gazette*. That notice in the gazette will be evidence that all the procedural requirements for the making of the local laws have been complied with.

A model local law is a law proposed by the Minister as being very suitable for adoption by local governments as a local law. There has been quite a deal of talk about this with the Pine Rivers Shire Council. They are quite comfortable with this. They are not scared at all of some of the scare tactics that have been darting around the place. They are very comfortable and they realise that the model will be drafted on a variety of topics by the department and will once again be published in the gazette. This Bill simplifies the process of making the local laws.

A local government can make local laws by resolution and at the same time repeal an existing inconsistent law. We heard the member for Brisbane Central earlier this afternoon, when speaking on this Bill, give us an example of some of the ridiculous by-laws that apply in Townsville. It is about time that with the one swoop of the pen we get rid of all these by-laws and start from scratch.

Notice of the making of any model local laws, once again, has to be published in the gazette. The interim local law is a law which because of its urgent nature—and this will happen, as there are always matters of urgency for the State government and local authorities—the Minister and the local government must agree can be made using a shortened process. So there is no-one holding a gun at anyone else's head; it is an agreement between the State Government and the local authority. The Bill requires the local government to simply resolve to propose to make the interim law, and the Minister's agreement has to be sought and reasons have to be provided by the local government as to why it considers that an interim law should be made. The proposal for this interim law must include a sunset provision stating that it will expire six months after its commencement.

I really should have commenced my speech tonight with a big vote of thanks to Maurie Tucker, Geoff Baker and Bob Bathgate. I cannot remember all the names; there are too many. I will fill the Minister in with the names later, but the names that do spring to mind are Maurie, Geoff and Bob. They have gone to such a great deal of trouble. They have done a lot of work over a long period of time, but just reading about the local laws, it hit me really hard that with all their hard work they have come up with the most perfect, simple solution. To me, that is what good government and good local government is all about. The steps that have been proposed about the local laws that are contained in this Bill are quite simple. There is

nothing difficult about it; it is just good common sense and good government. It is no wonder that we are getting plaudits such as I read into *Hansard* from the Local Government Association and such as Councillor Akers and the Pine Rivers Shire Council and quite a few other councillors around my electorate are quite happy and quite comfortable with.

I got off the track a bit about the interim model local laws. Once again, they have to be published in the gazette—good, open, accountable government. A circumstance where an interim local law could be proposed would be if a council wanted to protect land which is being cleared—land-clearing in part of its area—and if the full process to make a local law was followed, it is highly likely that much of that land the council wanted protected would be cleared. I think all members in Government and those in local government have come across this so often. You see something happening that should not be happening. By the time you try to stop it, it is too damned late. That is the sort of situation in which these interim local laws will come into their own.

An interim local law provides for the application of immediate controls for a limited period of time. At the end of the period, the council is expected to have followed the full local law process to make an appropriate local law to control the activity in question, such as clearing of the Samford swamp years ago. For all that time we were tearing our hair out, there was nothing we could do. We were trying to go through the correct procedure to stop all these dreadful things happening. It was too late.

As regards the making of policies to assist in the detailed implementation or application of a local law—the Bill requires that such policies can only apply if a local law expressly provides for them. The first step in the process involves the local government resolving to make the local law policy. The bottom line is that it is up to them. They are masters of their own destiny. The local government must also make a proposed policy known to the public by advertising in the paper, and it must display the notice at its public office. The public will have plenty of opportunity to view and purchase proposed policy and make written submissions on it.

Once the local government has considered any written submission properly made to it, it may make a resolution adopting the proposed policy as a policy of the local government. If the proposed policy is to be substantially modified from the advertised one, once again, it has to be readvertised. Once again, a notice has to be published in the newspaper when the local law has been made. Once a local law policy commences, it binds the council. Nothing can be done about it; it is tied up.

In other words, the council must follow the policy each time it replies and it cannot choose to act contrary to it. This Bill also ensures that the public is given an opportunity to be aware of the local laws. How often have we taken calls from people saying, "I didn't know about the policy."? The public must be made aware of the local laws. The department and each local government are required to ensure that the public has access to a certified copy of a local law or local law policy. Copies are available from the local government at a cost of no more than that required to cover the printing and postage. Now the council must keep a register of all its local law policies. So we can have a look at the policy at no cost to ourselves.

The Bill establishes the legal status of local laws and the local law policies properly made by the local government. Following its commencement, a local law will have the force of law in the local government area, and the local government will be bound by its local law policies. The maximum penalties that can be fixed for an offence under a local law have been increased. Currently, the maximum general penalty for a by-law offence is $5,000. For many years, the more responsible councils thought this was a bit of a joke. It is an amount that some people are prepared to risk, because of the advantage they can gain by breaching the provisions of the law.

In many cases people think, "It is only $5,000. Let's break the law; that is all they can fine us." They are laughing all the way to the bank. Now the maximum penalty under the local laws has been increased to 850 penalty units, which amounts to $51,000. That should slow offenders down. They will think twice before breaking the law. It will be interesting to see how many of them break the law now. It will no longer be possible to generally specify a maximum penalty for all offences under a local law. Each provision that attracts a penalty for non-compliance will have to be identified, along with the relevant maximum penalty. It is still up to the courts to determine the penalty that will apply in each case.

Finally, as the local government can also make laws on planning matters under the Local Government (Planning and Environment) Act, the Government proposes to include similar provisions to those included

in this Bill in the Local Government (Planning and Environment) Act of next year. This makes sense, and I congratulate the Government on thinking this out. This action will ensure that there is a common process for the development and implementation of all local laws. As the Minister mentioned in his second-reading speech, one of the basic aims of this Bill is to provide more autonomy and flexibility for local governments and to balance this with increased accountability.

A wide general competence power and the ability of local governments to make local laws will mean that councils will be truly able to govern for the good of their local community. They will enjoy much more autonomy and flexibility in this area. On the issue of accountability—it is considered that councils should be very much accountable to their local communities for the decisions that they make about local matters. Everybody says—myself included—that it is the level of government that is closest to the people. But they also have to be accountable to the people. The days are gone when they could do anything they liked—that is, when the winners could smile and the losers could please themselves.

The councils must now wear the responsibility for such decisions. That is why it has been decided that councils should make their own local laws and bring them into operation, not the State Government. The responsibility rests at the local level. That is also why the ability of the State Government to intervene in the local law process is limited to matters of State interest. This Bill is very close to my heart. I have been waiting for it to come in for a long time. Once again, I congratulate the Minister. I express my thanks to Maurie Tucker and to the people in the Local Government Department. I support the Bill.

Mr GILMORE (Tablelands) (8.14 p.m.): I will make a brief contribution tonight to the debate on the Local Government Bill.

Mr Springborg: And a good one.

Mr GILMORE: It will be a good one. I would like to begin by paying tribute to local government in my area. There are four local councils in my electorate—Herbert, Eacham, Atherton and Mareeba. Those councils are particularly mature and competent. They are a pleasure to deal with, and they have made my life particularly easy in the inevitable interchange between the State Government level and the local council level.

Over the last six and a half years since I left local government life, I have managed to keep up a very good rapport with the local councils. I think this is as much to their credit as it is to my own. Of course, from time to time one has to bite one's lip. So mature is the relationship that we are able to talk behind the scenes. If there are any burrs under saddles from time to time, we talk on the telephone or get together to smooth these things out so that there is never a public ripple in respect of the relationship between local and State Government. That is excellent.

It is very important that we do not have great disruption between the levels of Government. I say "levels of Government" because I am a great believer in local government. The maturity of local government over the last few years is reflected in this legislation tonight; that is, it represents the coming of age of local government. It needs to be recognised by all levels of government as being a true provider of government services to the community. So I am pleased to be able to deal with local councils at the level at which I do.

I would like to take up a couple of the comments made earlier tonight by the honourable member for Burdekin. He spoke about the cost of devolution of responsibility to local government. It is a matter about which I have spoken in this Parliament on a number of occasions. It still concerns me that Governments, State and Federal, tend to hive off the difficult or dirty tasks. Very often, the recipient of those tasks is local government. At the end of the day, local government is rarely provided with sufficient funds to carry on those responsibilities.

If local councils do receive sufficient funds in the first instance, over a period of years the contribution tends to lose its value in real terms. Thereafter, the responsibility falls on the ratepayers of the shire. That is unfortunate. It is something about which Governments ought to be very aware. The State Government at times may feel inclined to say to local government, "You're the level of Government closest to the people. Therefore, it is more appropriate for you to deal with this." That may well be so, but the problem is that we cannot devolve responsibility without allowing sufficient funds to make it happen without imposing an unfair load on the community.

I would like to comment on the workload of councillors. Fairly clearly in this legislation, we can see that the business of local government will become more and more complex. I refer to the business of part-time councillors meeting once a month and so on, particularly in the larger and developing

councils where there is a considerable amount of property development and so on. We are quickly coming to the time when we will have to have a full-time chairman at least in those larger councils. Possibly, in the very near future, we will need a smaller number of full-time councillors rather than a large number of part-time councillors.

I say that after some considerable thought. It is very important that we understand that, having said a couple of moments ago that this is a full-blown and mature form of Government, we have to then treat it that way. We must understand that, as the responsibility of local government increases, it is simply beyond those people who are working on a part-time basis to come fully to grips with legislation, the accounting practices and so on, and to be competent councillors as well.

As members of the State Parliament, we are members of Parliament 365 days a year. Councillors, particularly in the remote areas, meet once a month. Sometimes they meet once a month and on a night during the middle of the month. At the end of the year, at the maximum, they have probably met for 20 days. So at the end of the first month, they are already 10 days behind the level of experience that we gain.

Mr J. H. Sullivan: You're not going to suggest that the constituents of councillors don't contact them in the intervening period between meetings with problems that they want the councillors to take up for them, are you?

Mr GILMORE: If the honourable member had been listening, he might have learnt something. I will have to speak more slowly. The point that I am making is that, while councillors are dealing with the issues of council and are having to come to grips with budgets and so on, at the end of the month they have only sat for a very small number of days. Members of this Parliament and members of the Federal Parliament come to grips with those things far more quickly. Within 12 months they have a couple of hundred days of experience at the coalface as well as in their electorate. So the level of experience grows very quickly as opposed to local government. As local government develops into a sophisticated level of government, it is going to become more and more important for councillors to have more assistance and probably become full-time councillors. This legislation provides a number of other things.

A Government member interjected.

Mr GILMORE: I am quite happy with fewer councillors. In terms of amalgamation, of course, there are times when it might be worth while to have more, but there are other times when Government tends to stick its nose where it ought not to be stuck.

Much of the legislation is suitable for those large and developing councils that I spoke of before. However, the red tape associated with this Bill is not necessarily appropriate to those vast-area, remote-area councils of which there are a large number and which are never likely to have, for instance, vast numbers of land or harbour developments. By the same token, those councils are still going to be stuck with the red tape that is involved in this legislation.

Accountability is excellent, but it has become something of a Holy Grail to this Government. This legislation says that an operation cannot be run unless the people have all of the strings to pull and all of the buttons to push. As far as I can see, there is very little evidence that people in those remote area councils have ever done anything other than the right thing. There is very little evidence of that. There may well have been in the very quickly developing areas in relation to dealings with property——

Mr McElligott: Under this Bill they can pay themselves whatever they like.

Mrs Woodgate: They can set their own fees.

Mr GILMORE: I do not care about that. That is not what I am saying. What I am saying is that the complexity of this legislation, in terms of the administration of it, is going to impact very, very heavily on remote-area councils. There is no question about that. That is probably the only real criticism——

Mrs Woodgate: You're not in the Local Government Association.

Mr GILMORE: The Local Government Association, to the greater part, is focused on the large developing councils.

Mrs Woodgate: They have discussed it with the smaller ones.

Mr GILMORE: I inform the honourable member that the only criticism that I have received of this legislation from councils in my electorate is in relation to the cost of administration, and the extra red tape in terms of the accountability of the chief executive officer.

If there is one thing in this legislation that I am delighted with, it is the establishment of the position of chief executive officer. For

many, many years, that has been a thorn in the side of many councils. Sometimes one, two or three executive officers have been arguing over who should be the chief Poo-Bah—who should be running the council. There now exists a clear definition of "chief executive officer". Clearly, it has been a problem around the State or it would not have been introduced into the legislation. I am delighted with it. I think it is an excellent move. For the first time ever, highly ambitious people can read the legislation and understand where they sit within the structure. I believe that that is excellent. At the end of the day there is a boss who is accountable and who can actually draw the whip, should that be necessary.

A number of other items need to be mentioned in relation to the chief executive officer and red tape. They include such things as three-year corporate plans, an annual operational plan and, I shudder to think, a register of the delegation of powers. That register of the delegation of powers is the kind of thing that one would expect in Labor legislation. The shire clerk, or the chief executive officer as he now will be called, will have to keep a register of whom he sends to make the tea. On many occasions, it will be easier for him to do the job himself——

Mr Mackenroth: Or herself.

Mr GILMORE: Or herself. It will just become so complex. If he fails to fill out the register, then he would not be complying with his responsibilities under the Act. That is the kind of nitpicking little thing that will ultimately lead people to forget or just say, "Go and do that." Some time later it will come back and bite them. It is this kind of little thing that my officers are telling me will be a problem in the long term. Of course, they can live with it. The shire clerks have always lived within the law because they are probably the most professional group of people with whom I have ever dealt.

Mr McElligott: Very well paid.

Mr GILMORE: Of course they are well paid, and they deserve to be. They earn it. They are very responsible, professional people. Of course they can deal with these things, but it just makes their life that little bit more difficult.

The member for Kurwongbah referred to pecuniary interests, and I agree with her wholeheartedly. In terms of a person actually leaving the room once that person has declared a pecuniary interest—I personally have sat in council meetings where councillors refuse to leave the meeting. On each of the occasions that it happened, I was horrified because it was clearly wrong. It was not necessarily against the law, but it was clearly morally wrong for a person to have a pecuniary interest, to declare it, and then remain rooted to his seat so that he could hear what was being said and watch how the vote was being taken.

I am also pleased that this legislation allows for the recording of how councillors voted. That has not occurred in the past. With a gallery full of people, a contentious issue could be passed on the voices and nobody would know how anybody voted. That has always been a source of concern for me. I think that if people are going to take a position, those people must have the fortitude to stand in their places and say, "I believe this and I will vote that way." I am very pleased that that is in the legislation.

Many of the changes that I have observed in the legislation are common sense. With the exception of the few criticisms that I have made, I do not think that any fair-minded person would be able to say that this legislation is unworkable or unreasonable. I do not believe that that is a sensible suggestion. I believe that it is fair legislation. It will probably work well with local government for many years to come. If it serves us as well as the past legislation, then it will be around for a very long time indeed. I am pleased to have taken the opportunity to speak to this legislation, to say a few things that I believe are important about local government, particularly about local government in my area. I trust that the legislation will live up to the expectations.

Mr BENNETT (Gladstone) (8.28 p.m.): One point on which I pick up the honourable member for Tablelands is that a lot of local governments do sit many days of the year—some sit more than others, and some sit for more days than State Parliament.

This Local Government Bill has been some eight years in the making and has been widely accepted by local government associations and councils around Queensland. My electorate covers two council areas—the Calliope Shire Council and the Gladstone City Council. A recent article of the *Gladstone Observer* stated—

> "Gladstone Mayor Col Brown said he believed the new Act was a step forward in the right direction with a lot of good points in its favour.
>
> 'The 1992-93 version of the Act is

> what local government should be about and there is a lot more responsibility on local government.' "

In the same article, the chairperson of the Calliope Shire said—

> "There will be more flexibility for council to operate as a financial enterprise with stricter accountability."

There is a lot of support for this Bill from councillors.

Tonight, I will focus on the area of contracts. The contracting and tendering provisions contained in the Bill bring local governments into line with the procedures used by the State. Councils will have considerably more flexibility under the new provisions but will, at the same time, be more accountable.

Contracting in local government has not met public expectations of openness and integrity in decision making. The Criminal Justice Commission has documented examples of how purchasing practices in local government have been inadequate and have created the opportunity for misconduct.

The provisions in this Bill go a considerable way towards addressing the issues identified by the CJC. The adoption of new management practices consistent with the requirements of the Bill will help to restore public confidence in contracting in local government; it will be fair, and it will deliver value for money. In entering into any contract for work, goods or services a local government will have to have regard to the following principles: open and effective competition; value for money; enhancement of the capabilities of local business and industry; environmental protection; ethical behaviour; and fair dealing. A local government can enter into a contract under its seal, or through its delegate. A delegation can be to the mayor, a standing committee, the chairperson of a standing committee, or the chief executive officer. However, a delegate may only enter into a contract on the council's behalf if provision for the cost of the contract has been made in the council's budget, or if entering into the contract is necessary because of genuine emergency or hardship.

A local government must call tenders before signing a contract involving a cost of more than $100,000, or a greater amount that can be set by regulation. Tenders must be called by an advertisement in a newspaper circulating generally in the council's area. At least 21 days must be allowed for tenderers to respond. For contracts costing between $10,000 and $100,000, a local government must invite written quotations from at least three persons whom it thinks can meet its requirements at competitive prices. For contracts under $10,000, it is expected that councils will adopt policies with which their purchasing staff have to comply. Such policies would have to lay out procedures that take into account the five principles that I have mentioned already.

The Bill also makes provision for a local government to enter into a contract without calling for tenders or quotations if it resolves that only one supplier exists, for example, for spare parts for computers; if it resolves that a genuine urgency exists, such as repairs to a flood-damaged bridge, or roads that present a danger to the community; if it resolves to obtain second-hand goods; if it resolves to purchase goods at auctions; if the contract is made under an exemption to open competition in the Local Government Finance Standards—these exemptions are expected to be the same as those under the State Purchasing Policy, such as contracting with suppliers listed on a register of pre-qualified suppliers and contracting with suppliers holding relevant quality assistance certification; or if the contract is made with another council, a State or Australian Government, or an entity of a State or Australian Government.

Provision is also made to enter into contracts for services, such as legal services, without inviting tenders or quotations—and we all know that it is a bit difficult to go around to solicitors and barristers asking them for quotations for cases that may be protracted; if the contract is made with a person drawn from a panel of suitable providers; or if the council resolves that the services to be supplied are of such a specialised or confidential nature that it would be disadvantaged by calling for tenders or quotations. I think that that allows for flexibility in the contract arrangements.

A local government compiles a list of suitable providers by calling for expressions of interest using the same procedures as those for calling tenders. It must also select suitable providers for its panel according to the principles that have to be followed. The Bill also contains provisions which give local government increased flexibility by allowing it to request all persons who have submitted a tender to change their tenders based on a change to tender specifications—this is very useful when no initial tender complies exactly with the original specification—and allowing the local government to invite expressions of interest before inviting tenders, provided it

resolves that this would be in the public interest. The council must record its reasons for taking this step, with the expressions of interest being called for in the same way as tenders are called for. After expressions of interest have been received, a council can prepare a short list and invite only tenders from those persons on the short list. These powers will be particularly useful to councils if they want to, for example, build a cultural centre or a community centre, where there may be several alternative ways to approach the design and construction of the centre. By first calling for expressions of interest and then short listing, the council can evaluate different approaches before formally calling for tenders.

When deciding to accept a tender or quotation, a local government is not bound to accept the cheapest tender or quote, but must accept the tender or quote considered most advantageous to it, because the cheapest quote or tender is not always the best. I can cite an example in Gladstone where the Matthew Flinders Bridge was built recently to give access to the marina using the cheapest tender. The project turned out to be a long, protracted process as the contractor could not meet its obligations for the hydraulics system on the bridge. Having regard to the principles mentioned previously, a local government can also choose not to accept any tender or quotes.

When a local government wants to dispose of any land or goods valued at more than $1,000, it must either auction the land or goods, or invite tenders. The requirement to hold an auction or call for tenders does not apply to the following: disposal to another local government, any Australian Government, Government entity or community organisation; land which, after disposal, would not be rateable, such as land sold to churches in circumstances exempted by the Minister; land or goods previously offered for sale but not sold; and disposal exempted by regulation.

I would like to refer to some of the concerns outlined in the disciplinary action section of the Bill. Clause 721 of the Bill identifies types of disciplinary action. The clause states—

> "(1) Disciplinary action against an employee of a local government may be—
>
> (a) dismissal; or
>
> (b) demotion; or
>
> (c) a deduction from salary or wages of an amount of not more than 2 penalty units; or
>
> (d) a written reprimand.
>
> (2) Not later than 2 years after a local government takes disciplinary action against an employee, it must destroy any record it has of the disciplinary action taken."

One area about which some concern was expressed to me was the deduction from salary or wages of an amount of not more than two penalty units. Many people believe that an employer should not be able to fine an employee. I personally agree with that. However, the Government did liaise with the unions about this matter. In a letter to the Minister, Ray Selby, of the Australian Services Union, stated—

> "We wish to comment in relation to the provision in the draft Bill for graduation of penalties, in particular about paragraph 6.22 of Part 2—Discipline. The union sees merit in the provision of four disciplinary options, namely dismissal or demotion of a fine of not more than two penalty units or reprimand.
>
> Historically, Councils have had recourse only to two of these provisions—dismissal and reprimand. This has meant that on numerous occasions employees who have been guilty of misdemeanours or poor performance have had to suffer the ultimate penalty of dismissal simply because there has been no other alternative that the employer could implement.
>
> Our acceptance of the new concept as outlined in the Bill is reinforced by the corresponding appeal provisions of Division 2.
>
> We can appreciate that some people may believe that employers should not have the ability to fine employees but, from the union point of view, we find such penalty far superior to dismissal and we again reiterate that the union has no objections to the contents of Part 2—Discipline, as outlined in the draft Bill."

The Australian Workers Union has been consulted, and it has indicated that, under its award, it has provisions for grievance procedures. So that part of the Bill would not apply until all grievance procedures under the current award are exhausted. Under those circumstances, I will agree with the penalty provisions contained in the legislation, even

though, in principle, I do not agree with employers fining employees.

I would like to congratulate all of the officers of the Department of Housing, Local Government and Planning and the Local Government Association who have been deeply involved with this Bill over the past eight years. I also congratulate the members of the ASU and the AWU for their input into the Bill. I support the Minister in recommending the Bill to the House.

Mr SLACK (Burnett) (8.39 p.m.): It is with pleasure that I join in this debate and support the Opposition spokesperson in supporting the Bill. I join with other speakers in commending councillors throughout the State for the work that they carry out within the sphere of local government. I also commend the staff of those shire councils and city councils throughout the State for the work that they carry out. I support the remarks of the member for Tablelands when he spoke of the community spirit of those councillors and the genuine feelings that they have for the communities within their areas. Those councillors often give time and effort without monetary recompense. In many instances, that time and effort is at the expense of their own businesses. They are a very important part of the Government structure of this State.

As we all know, shire councils and city councils are the third tier of government and, as has been acknowledged by all speakers tonight, it is a very important tier. I represent the Burnett electorate, which currently contains six shire councils. My electorate takes in a very small portion of the City of Bundaberg. I am pleased that the member for Bundaberg is presently in the Chamber, because my electorate has faced considerable trauma with respect to the proposed amalgamation of councils. I believe that no other area in Queensland has experienced more trauma in respect of the issue of amalgamations than the area I represent, and the Minister would be well aware of it. The Electoral and Administrative Review Commission investigated the boundaries of the Bundaberg City Council, the Woongarra Shire and the Gooburrum Shire and, to a lesser extent, the Isis Shire. The original recommendation was that parts of the Woongarra and Gooburrum Shires would be amalgamated with the Bundaberg City Council, which would increase the area of the Bundaberg City Council and which would, in turn, decrease the area of the Woongarra Shire and the Gooburrum Shire.

As the Minister and the member for Bundaberg would both be well aware, the proposal caused considerable heartburn and trauma for the people who live in the area. Protest meetings and letters objecting to the proposal left no doubt about the very strong feeling of the people who would be affected, particularly those who live in my electorate. Those people wanted the status quo to remain because the shires are viable, operate efficiently and have the support of ratepayers. Under those circumstances, there did not need to be any change. There is also no doubt that the City of Bundaberg is pushing for change and that the Bundaberg City Council wants to extend its boundaries to take in areas that are situated on the outskirts of the city. That is natural enough, but the fact remains that the taking in of those areas by the Bundaberg City Council would cause problems for the other shires that surround the city.

Essentially, two arguments were advanced: one was that there was an unhappy relationship in respect of the sharing of services, particularly in the Woongarra area, and the other was that because people in the shires surrounding Bundaberg were not included in the Bundaberg statistical division, Bundaberg's image in promotion and public relations exercises and in encouraging people to visit Bundaberg was downgraded because the figures were not high enough. I feel that both problems could be overcome, bearing in mind that the three established councils have been operating efficiently and effectively and have enjoyed the support of their ratepayers. I have no objection—and I believe that no member of Parliament would object—to proposals to amalgamate shires when the people who live in the shires agree, but when people do not agree and a shire is very strongly against amalgamation, then I do not think it should proceed.

I understand that one of the Government members on the Parliamentary Committee for Electoral and Administrative Review actually said that she did not support forced amalgamations, but that is what is developing in the Burnett area. As the Minister would be well aware, the latest proposal means that the Gooburrum Shire will lose part of its area as well as its ratepayers who live in areas adjoining the Bundaberg City Council. The rest of the shire, as proposed by the Local Government Commissioner, Mr Hoffman, would be amalgamated with the Woongarra Shire and would, in effect, form a new shire known as the Burnett shire. Instead of my electorate containing six shires as it currently

does, under that proposal it would contain five shires.

The important point is that very, very genuine resentment has been expressed by the people of the Gooburrum Shire in respect of the proposed forced amalgamation. There can be no ifs, buts or maybes about the fact that the proposal or recommendation would result in a forced amalgamation. The people say that their shire has been in existence for 107 years and that, at the very least, they are entitled to a referendum to determine their shire's future but, unfortunately, no referendum has been forthcoming. The situation is even more difficult for those people because the original EARC proposal did not recommend that their shire be eliminated. The proposal was that some of the Gooburrum Shire and some of the Woongarra Shire would be taken in by the Bundaberg City Council, and the Gooburrum and Woongarra Shires would then remain as separate entities. The Parliamentary Committee for Electoral and Administrative Review made a similar recommendation and, at that stage, the Shire of Gooburrum would have been able to continue to exist.

At a later stage, the Government appointed Mr Greg Hoffman as the Local Government Commissioner and required him to look into the matter of local government boundaries. As the Minister and the member for Bundaberg would appreciate, there was a large outcry against areas being taken from the Woongarra Shire, in particular. Throughout the whole process, the Gooburrum Shire has basically been compliant and accepted that some areas of the shire could be taken in by the Bundaberg City Council boundary and could be well serviced. While the Gooburrum Shire did not want to lose those areas, it was felt that the shire could continue to be a viable separate entity without them, and it was decided that the shire would cooperate with EARC and the Parliamentary Committee for Electoral and Administrative Review. However—shock, horror—the Local Government Commissioner produced his final report and virtually recommended the elimination of the Gooburrum Shire. I might add that this decision would have been the easier of the two options for Greg Hoffman. I am not laying blame at his feet because, as the Local Government Commissioner, he was placed in a very difficult position. The circumstances were that a huge outcry had arisen from the people in the Woongarra Shire against the EARC and Parliamentary Committee for Electoral and Administrative Review proposals, and he would have known that if he recommended the retention of the status quo, there would have been a huge outcry from the people of Bundaberg—which, no doubt, would have been supported by the member for Bundaberg.

Mr Campbell: Definitely.

Mr SLACK: That is right. The smaller of the two shires—which still had 7 000 people, incidentally—was eliminated by Mr Hoffman's proposal. Naturally, the people who live in that shire feel that they have been very unfairly treated. The recommendation came without warning. They had been trying to cooperate but, suddenly, the shire was going to be eliminated. Naturally, those people are seeking the Minister's assistance.

Mr Mackenroth: They can come and see me tomorrow.

Mr SLACK: That is good. They are hoping to see the Minister, the Premier, and anybody else who will listen to their story. There is no doubt that if the Local Government Commissioner's recommendation goes ahead, the shire will be eliminated on the basis of a forced amalgamation. If the Minister has any feeling for democracy and any feeling for the desires and wishes that have been expressed by the people who live in the Gooburrum Shire, he will receive a deputation, listen attentively to the arguments, consider the arguments and, for the sake of those people, accept the arguments. In the present circumstances, I do not believe that allowing the status quo to remain would cause major detriment to the area, especially considering the outcry against the recommendation.

Mr Campbell: Come on! Let's recognise Bundaberg for its proper size. It is a city of 40 000 people.

Mr SLACK: Let us be fair. I point out to the member for Bundaberg that there is no reason why the City of Bundaberg cannot share its amenities and services in cooperation with the two adjoining shires.

Mr Campbell: And we would pay for the lot.

Mr SLACK: There is no reason why that city and those adjoining shires cannot also combine their population figures when the district is being promoted in other areas. Naturally, the member for Bundaberg will speak in support of the City of Bundaberg but, by the same token, it must be acknowledged that the cooperative strategy I am suggesting is already in operation in areas near Brisbane. For example, Logan City is really a combination of small areas that has become a

metropolis. The Gooburrum Shire and the Woongarra Shire have been operating efficiently and nobody can say that they have not. The shires are established and their work forces are established. If the Government wipes out one of the shires, it will create enormous trauma for people who feel that their jobs and future security are under threat. All those types of problems can be avoided.

Mrs Bird: What about all the positives?

Mr SLACK: All right. I will agree that there is nothing wrong with the proposal provided that, upon conclusion of all the investigations, the people concerned know what is being proposed and have accepted the recommendations made by EARC, the Parliamentary Committee for Electoral and Administrative Review and the Local Government Commissioner.

Mrs Woodgate: In the redistribution before the last State election, half the people I lost didn't agree with it either. They wanted to keep me.

Mr SLACK: But the member is not talking about a local community. The local community to which I have been referring has voiced very strong opposition to the proposal and, to a person, the people who live in the area feel that the shire is being eliminated. The Local Government Commissioner's proposal is that the two shires will amalgamate because they have similar interests. To a degree, that is correct, but there is a major barrier that is not appreciated by members opposite. The major barrier is that, to communicate, the people have to go through the City of Bundaberg. They are separated by the City of Bundaberg.

A Government member interjected.

Mr SLACK: I am speaking to the Bill. A referendum should be conducted when an amalgamation is proposed. In this case, the Government intends to force an amalgamation. I am in to bat for the people of Gooburrum. They have a legitimate argument. They feel that they have been treated unfairly. If that scenario had applied to the people of Woongarra, I would have been in to bat for them, too. Those people are entitled to have their views heard. Are Government members saying that they do not believe in democracy for those communities?

One could advance the same argument with the Kolan Shire. It is a much smaller shire. Perhaps it should amalgamate with the Gooburrum Shire. If the Government could advance major cost savings to overcome the trauma that will occur, I would be prepared to listen. However, it has not been able to do so. The Minister has the discretion to say "yes" or "no". He has the power to accept the legitimate argument being advanced by those people. It will be interesting to learn the Minister's response. Is it a waste of time for those people to see the Minister tomorrow?

Mr Mackenroth: It's never a waste of time to see me.

Mr SLACK: I am pleased to hear that. No doubt, the Minister will listen to their argument.

My electorate contains the Perry Shire, which has only 300 voters. That council is operating effectively and efficiently. Is it necessary to amalgamate shires for the sake of amalgamation or to fulfil some future growth program?

Mr Mackenroth: Do you want me to have a look at that, too? Do you want me to have a look at Perry?

Mr SLACK: I am not suggesting that. I am just saying that, if the argument held that a community exists, there is no doubt that Gooburrum is a community. It has been established for a long time. The councillors serving that shire take their job seriously. The ratepayers recognise that the councillors do the job effectively. The ratepayers recognise that they are receiving the best value for money from that shire council.

Mr McElligott: Tell me about these referendums. Who would vote in the referendum?

Mr SLACK: The member for Thuringowa cannot tell me that, because the City of Bundaberg separates those two shires, a community of interest is being served. For instance, machinery has to be taken from one side to work on the other side. I just cannot accept that argument.

I conclude by reiterating that, if the Government believes in democracy, the very least that it can do is conduct a referendum to determine whether the people will agree to amalgamation. They are aware of all the issues. Many people have looked at the viability of amalgamation, and the figures have been produced. The people know exactly what they are facing. To avoid a forced amalgamation, that is the very least that the Minister can do. In fairness to those people and to ensure that they are not disadvantaged, it would be better if the Minister were to decree that the status quo remain and then examine a better way to share the provision of essential services.

Mr BREDHAUER (Cook) (8.54 p.m.): I want to talk briefly to this Bill. During this debate, I have noticed that a game of one-

upmanship has been played, as one member after another has talked about the number of local authorities in his or her electorate. Some members are obviously lamenting the fact that soon their electorates will contain fewer local authorities than they currently do. I have a very interesting electorate in terms of the local governing structures. Although they are not all local authorities in the context of this Act, the Act does apply to 34 local governing structures in the Cook electorate. Eight of them are local authorities; 17 are Torres Strait Island councils; and nine are Aboriginal councils, all of which are influenced to some extent. As members can imagine, the last Saturday in March is a fairly busy day in the Cook electorate as elections are being held. Although we are not planning amalgamations of any of those councils, it would be a nightmare to think of the referendums that would have to be held.

Mr Pearce: Do you read all their minutes?

Mr BREDHAUER: I peruse a number of the minutes of the councils in my electorate, but I cannot claim to read them all.

I turn briefly to some of the provisions of this Bill. It is a very comprehensive Bill, and generally the local governing structures in my electorate support it strongly. I do not think that any person associated with local government in my electorate has expressed opposition to the Bill or to any particular part of it. That is not to say that there are not some who do oppose it; but no-one to whom I have spoken since the Bill has been circulated has expressed that view. Most have expressed the view that it has been a long time in the gestation stage, and they have been looking forward to this time. I want to refer briefly to certain issues in the order in which they appear in the Bill.

I turn first to the change in terminology to describe the elected representatives as mayors and councillors. I think that is a sensible solution to what some people perceived as a major problem. I was rather amused and somewhat amazed at the amount of attention—media and otherwise—that was given to the issue of the terminology for elected representatives of local authorities. I think that people became a bit too bogged down with it. I attended a north Queensland local government conference in Cooktown at which, after the Minister delivered a major speech about this Bill, draft model by-laws and a range of other matters, the first question that he was asked was whether or not local authority representatives would be called chairpersons, presidents or whatever. That was a bit of a surprise to me. I think that this is a good solution. I support the description of the chief elected person of a local authority as "mayor". I can assure a number of the soon-to-be mayors in my electorate——

Mrs Woodgate interjected.

Mr BREDHAUER: Yes, we will not be referring to them as old grey mares.

I want to refer briefly to the Local Government Commissioner and reviewable local government matters. That seems to have been the topic on which the previous member loosely based his contribution to this debate. I think it is a logical step to have a Local Government Commissioner appointed who can undertake inquiries into local government matters at arm's length from the Government. That important principle has been embodied in this legislation. Recently, I had the opportunity to sit next to Greg Hoffman on a flight from Cairns to Brisbane. I had a very interesting couple of hours talking with him about his work on these matters over the past 12 months. I think that he has been an ideal person to fulfil that role in the first instance. His contacts in local government are probably second to none outside of the division of local government in the Minister's department. I think that he has undertaken the job with the fairness and impartiality that would be expected of him.

It is a little disappointing that some of the people who are members of local authorities and who, not long ago, would have described Greg Hoffman as a friend have not been quite so friendly to him since he has been in that role. I think he takes that as par for the course. I would like to think that, with the passing of this milestone legislation in local government history in Queensland, people would put aside some of their parochial interests and perhaps look at some of the other issues in relation to local government on which local authorities themselves could initiate reviews in the context of this Act. However, human nature being what it is, I am not particularly confident that that will occur. I would like to think—I guess with a degree of optimism—that some issues that have become immutable in local government circles could be reviewed at the initiation of local authorities themselves.

The section on the intervention by the State—Part 2 of Chapter 3—is important. Whatever the political complexion of the State Government of the day, there are times when it is necessary to intervene in the operations of

local authorities. Although the Bill recognises the importance of local government as an independent tier of government, there are times when either local authorities, business groups or members of the community want the State Government to intervene. The provision that has been incorporated in the legislation clearly enunciates the manner and the terms and conditions under which the State can intervene. I, for one, think that is a very positive step.

I do not want to talk too much about the Local Government Grants Commission. In my electorate, a lot of concern has been expressed about it. The eight local authorities that I mentioned and the Aboriginal and Islander Councils benefit from the Local Government Grants Commission. The eight local authorities are generally small, rurally based shires with low rate bases and they rely fairly heavily on decisions of the Local Government Grants Commission. In the past, a lot of concern was expressed about the basis on which resources were allocated. I notice a clause in the Bill that refers to the commission's making recommendations to the Minister about the way in which the State is entitled to receive money from the Commonwealth under the Local Government (Financial Assistance) Act 1986.

A review of the ground rules for the distribution of those resources is under way. The only comment that I want to make is that most councils, for one reason or another, will argue that a change should be made to those ground rules. If more money is not available to distribute and if the ground rules are changed for the distribution of the existing pool of Grants Commission resources, there will be winners and losers. That will be an unwinnable argument for many local authorities and it will be an unwinnable argument for us as a Parliament.

Mr Mackenroth: Or the Federal Government. They'll make the changes.

Mr BREDHAUER: I am conscious of the fact that the Federal Government is making the changes. However, the issue is that, unless more money is available to distribute, if the formula by which grants are made is changed, there will be winners and losers and you can bet your bottom dollar that the losers will not be happy about it. That will be a difficult time for us, for the Federal Government and for local government.

I turn to the register of interests of local government. It is a very important initiative to ensure that a register of interests is kept for the elected officials in local governments. I do not think that it is a particularly onerous task that must be undertaken by the elected officials. I wholeheartedly support that that register of interests be maintained. It is high time that the integrity of local government was seen to be impeccable by a register of such interests being available. Later, I will turn to the register of interests for council employees.

The next aspect about which I want to talk briefly is that of rates and charges under Chapter 10, which refers to rateable land. One clause indicates that rateable land includes all land other than certain categories of land. One of the categories of land that are exempted as rateable land is Aboriginal land under the Aboriginal Land Act 1991 or Torres Strait Islander land under the Torres Strait Islander Land Act 1991 other than land used for commercial or residential purposes. Although I acknowledge that that is an important provision for incorporation in the Bill, I draw to the attention of the Minister and the House the fact that a couple of councils in my electorate—the Cook and Torres Shire Councils—could have a substantial reduction in their already-limited rate base if the land claim process in their respective shires determines that certain land should be Aboriginal land or Torres Strait Islander land. We need to be vigilant about the implications on the rate bases of those two quite small shires.

With respect to the obligations of local government employees, I said that I would turn to the register of interests for employees of local government. To be frank, I could not understand what the member for Tablelands was babbling on about when he referred to the incredibly onerous workload that the Government would impose on local government employees. The Bill states that the mayor of the local government must keep a register of interests of the chief executive officer and that the chief executive offer must keep a register of interests of each senior executive officer and a register of interests of other employees of the local government decided by the local government.

I do not know whether the member for Tablelands thinks that the dog catcher and the road workers must fill in a pecuniary interests register, but I can assure him that that is not the intention of the legislation and I am sure that that will not be the case. I fill in the pecuniary interests register in this place, as is required appropriately by the Parliament. In the first instance, it takes a few minutes to put all of the information together—not that

my assets are great. Subsequently, updating it takes next to no time.

Mrs Woodgate: It took Bob Katter six months to remember to do it.

Mr BREDHAUER: Yes, but one must make special allowances for the former member for Flinders who has difficulties in matters that others find simple. The workload is not onerous on either the people who must compile a register of their own interests or, alternatively, on the people who must keep the register of those interests. As the register of interests of employees is not open to public scrutiny, I do not see any major drama with it. I, for one, welcome once again the opportunity to ensure that, by mechanisms such as that, the processes of local government are not only just but also seen to be just. I hear many criticisms levelled at officers of local authorities and I hear imputations and suggestions that they are doing things for nefarious or improper motives. I do not believe a fraction of the complaints that are made to me in that respect.

Mr Ardill interjected.

Mr BREDHAUER: I do not doubt that, as the member for Archerfield says, sometimes they are. It is important that mechanisms such as that are in place so that the processes are not only just but also seen to be just.

The member for Tablelands talked about red tape. I could not think of anything that could help to clear up red tape more than an Act which, under clause 802, repeals the Local Government Act 1936 and 73 amendment Acts, and, under another clause, repeals a further 20 Acts. It is that type of tidying-up legislation that makes major Bills such as this most important, and it makes legislation much easier to deal with, both for members of the Government and for members of the local authorities. With those comments about specific aspects of the Bill to which I wanted to draw the attention of the House, I return to the fact that I have heard no criticisms of the Bill from elected representatives of local authorities in my electorate. The Bill has been well received.

I conclude by thanking the Minister for the time that he has taken since he has been the Minister for Housing, Local Government and Planning to visit some of the smaller and more remote shires in my electorate. In the past 12 months, he has visited all of the shires in my electorate. When we made a recent trip through the gulf area, we visited the Etheridge, Croydon and Carpentaria Shires. People in each of those shires appreciated the efforts that the Minister made to attend. At that time, Etheridge and Croydon were having particular problems with their water supply. We were able to be of direct benefit, particularly to the Etheridge Shire in relation to a problem that it was having with the water supply at Forsayth.

Mr Mackenroth: Getting the tractor out.

Mr BREDHAUER: Not the bogged tractor. That was not the problem to which I was referring. It was the fact that the dam needed some work. Thanks to the efforts of the Minister for Local Government and the Minister for Primary Industries, we were able to provide some urgent financial assistance to allow that council to take measures to remedy its problems with the water supply in the longer term. Now that we have upgraded the dam, we still need sufficient rain to fill it. However, as I say, the local authorities that the Minister has visited have very much appreciated his efforts.

The North Queensland Local Government Association conference that I referred to previously was held in Cooktown. While the Minister was attending the North Queensland Local Government Association council meeting, he took the opportunity to open the weir for the Cooktown water supply. I can assure this Minister that these councils that are in remote areas appreciate a Minister who is prepared to get out of his office in Brisbane and go and visit them, a Minister who tries to understand some of the issues as the people in those areas experience them. So I thank the Minister and his staff for their support—Libby and Robyn, particularly, who have been very helpful in organising those couple of trips and in a range of other areas. I also thank the people from the local government division who have helped to put this comprehensive Bill together.

Mr JOHNSON (Gregory) (9.11 p.m.): Local government is probably the most important facet of government in the nation today. I would go as far as saying that, to the people of Queensland, local government is absolutely sacred. I pay tribute to the men and women who for generations have upheld the ideals of their local councils and provided the communities with leadership, direction and quality of life for the citizens who live in those regions. A lot of these people have provided a service to their communities under very trying conditions and circumstances. They have also made sacrifices that have been to their own disadvantage. I believe that we should recognise these people and the endeavours they have made to try to provide a quality of life to the people whom they represent. Local

governments have provided these remote areas with roads, public amenities such as recreation areas, libraries, halls, sporting complexes, caravan parks in some places, and numerous other facilities.

Whether it be local government or any other form of Government, it is paramount that flexibility be a part of the policy of those instrumentalities, so they can execute the by-laws or whatever their charter may be. I am pleased that this legislation will have the flexibility to allow respective local authorities to address their own positions as they arise. It is absolutely paramount that this point be addressed, because every local authority is different.

I will speak briefly about the 12 local authorities the electorate of Gregory encompasses. I believe that they are different from many of the other local authorities in the State. We just heard the member for Cook mention some of the local authorities in his electorate. I believe there is a certain amount of relativity there to what I want to say. I believe every member of Parliament and every person in this State strives for a quality of life. It is absolutely paramount that local government be left to exercise its duty. When I say "provide a quality of life", I am talking not only about the ratepayers of a shire but also the citizens in general and the tourists who visit those places.

In the four years since the Goss socialist Government came to power, we have seen EARC come to life in Queensland. We have also witnessed very closely nearly having amalgamations and forced amalgamations of local authority boundaries. I am pleased that in my region we did not see those forced amalgamations come into being. If we did have those amalgamations in those local areas in those western remote shires—and please God we hope never to see it eventuate—we would have seen the fragmentation of society. The whole of that region would have virtually disintegrated—become a dot on the map. Thank God that has not happened. We would have seen real estate values fall and communities fade away. We would have seen essential services leave those regions. This is something that this legislation can address. It will let those local authorities in those respective areas to take control of their own destiny.

Today, local authorities have a bigger responsibility to society than they did in years gone by. I remember the days when local authorities used to grade a road once or twice a year and keep the towns tidy and clean by carting away rubbish—in the old times when night carts were in use—but today local authorities play a more responsible role in the communities that they represent. They are there not only to look after and administer the finances and the welfare of the people who live within those communities, but they are there to help create industry, which therefore fosters employment to keep the people in the districts that they know and love. The preservation of the societies that we live in is absolutely paramount in this modern day and age.

I believe that the role of local governments is one of high priority. Recently, we witnessed the role that local governments played in the submissions that many of their shire clerks, their councillors and members of their communities submitted in fighting for the retention of the railway services to western Queensland, northern Queensland and other parts of Queensland in general. I believe that it was the forthrightness of these councillors—and I name people such as Eric Lenton at Winton, Fred Rich at Blackall, John Parkinson at Isisford and John Murray at Quilpie. There were numerous others. It was the vision of these people and their guts and tenacity that was instrumental in the Government reversing its decision. All honourable members have seen the revelations of that task force findings and the positiveness of those decisions. I congratulate those people and the people in those areas who fought so hard to keep those rail services.

At the same time, these people are going to be subjected in the near future to something that is totally unfair. I know that some Government members are in total support of the registration of pecuniary interests. The member for Cook referred to that subject. The registration of pecuniary interests will bring about a lesser quality shire council in the future.

Mr Bredhauer: Oh, rubbish!

Mr JOHNSON: It is not rubbish at all. There are a lot of responsible people in local government in this State today—very able men and women who provide their services to local government. These people deserve to be able to live in their own local communities and uphold in privacy what they believe is rightfully theirs. They should be able to maintain their privacy and, at the same time, provide a service to their communities. Why should every Tom, Dick and Harry know the private affairs of their local shire chairman or their local councillor? This is a total invasion of

privacy. It is a different situation if the Queensland Parliament wants to have a pecuniary interests register or if the Federal Parliament wants to adopt that procedure. I believe that is totally different.

I remember when I was a member of the Quilpie Shire Council some years ago. If there was an issue relevant to a member being discussed while that person was sitting at the table, he excused himself from the room so that there would be no conflict of interest. The Government has got it wrong. We are going to crucify a lot of rural and remote councils by proceeding with that policy. It is not draconian, but it is something that is totally beyond all realistic beliefs of the modern-day thinking person. I do not condone the registration of pecuniary interest at all.

I also wish to address briefly the issue of workers' compensation for elected members and its non-existence in this Bill. I ask: why? I urge the Minister to address this very important issue. Councillors and local authorities in the State today do not just meet once a month; they meet sometimes three and four times a month. I believe that a lot of these people are subjected to a lot of costs that they would not be subjected to normally. They are trying to provide a service to the communities in which they live and to the communities for which they care so much.

A lot of these people go to the annual State conferences. They travel many miles and are not reimbursed for their expenses. It is a sacrifice they make, and it is virtually a donation of their time and effort to the communities for which they care so much. I believe that we should be addressing this further as we go along.

What assistance will the Government give to the smaller shires by way of funding? I am greatly concerned about this, and I will address it when the transport legislation comes before the Parliament. It is absolutely paramount that funding be forthcoming for the low rate base shires. There should be a unique register of shires which are able to receive emergent funding in certain situations. A shire such as Diamantina comes to mind, as does Boulia. The member for Cook mentioned the shires in his electorate. It is paramount that funding is forthcoming for these shires, whether it be from Federal or State sources.

I also want to address the issue of national parks not paying rates to local authorities. This has damaged a lot of shires such as the Bauhinia Shire. I have already made a representation to the Minister for Environment and Heritage to seek funding for the maintenance of roads within the Bauhinia Shire that service national parks. This is a big imposition on already overtaxed shire resources, and the shire cannot maintain its roads. It is unfortunate that this year the Government, in its Environment and Heritage funding, cut that funding completely.

I also wish to make mention of the Diamantina Shire. With the purchase of the Diamantina Lakes property recently, that shire has now lost 10 per cent of its rate base. When we take 10 per cent of the rate base out of a shire such as Diamantina, we not only take away 10 per cent of the rate base but we also take away 10 per cent to 12 per cent of the productivity of that shire, which in real terms has value-added benefits for the economy of Queensland and for the economy of this nation as a whole. This is something that has been overlooked by this Government for a long while now. I urge all members of this House to bear in mind the sacrifices of those people living and working within those shires, and that the problems that they are confronted with from time to time be recognised.

I wish to address the issue of the title of "mayor". What a ridiculous situation this is. The changing of the title from "shire chairman" to "mayor" is something that I cannot believe is happening. Change for the sake of change is not healthy. I say to the people of this State: why can we not leave it as it is? Many ladies act in the role of shire chairman and are happy—and I have spoken with them—with the title of "shire chairman".

I heard the member for Burdekin earlier this evening refer to the Shire of Diamantina. I do not know how David Brook would feel about being called Mayor Brook. He represents only about 200 people in an area of some——

Mrs Edmond: He'd prefer that to "chairwoman".

Mr JOHNSON: I have not spoken to him about it, but I can assure the honourable member that I will. Whether we are becoming Americanised or not, I do not know. It was healthy the way it was. Everybody understood it the way it was. But we have to have change and more change.

I wish to discuss whether or not this Government's intentions are to downgrade the classification of main roads in rural and remote Queensland. This is something that is hard on the lips of local authorities throughout the length and breadth of this State. I will remind this Government and the people of this House that the people of those communities will not

accept that change. They are hard pressed now to make their dollars spread sufficiently to cover the costs of running their community—whether it be money spent on sewerage, roads or whatever. It will not be tolerated. I urge the Minister for Local Government or any other Minister in the Cabinet to ensure that this does not become a reality.

Mr ROBERTSON (Sunnybank) (9.26 p.m.): The introduction of the Local Government Bill into Parliament heralds the beginning of a new era for the Queensland local government system. The provisions contained in this Bill reflect the increased expectations of the community on how local governments should perform and the roles and responsibilities that they should accept. People now expect councils to play a much greater role in environmental issues and the social and economic aspects of community life. The community expects higher standards of performance and behaviour from both councillors and local government staff.

Local government itself is now big business. Councils need to be much more efficient and effective and more flexible in taking advantage of the opportunities that present themselves. Whilst roads, rates and rubbish are still crucial functions of local government, there is a demand by the community for local council to take a whole-of-community approach to its business.

This new Local Government Bill opens the door for these things to be achieved by introducing a broad range of management and operating standards and practices for local governments in Queensland. For example, the Bill requires councils to adopt corporate planning, equity in employment, annual reporting, accrual accounting, local laws, stronger pecuniary interests requirements, new contracting requirements, greater community participation in council decision making and greater delineation between the roles and responsibilities of elected members and officers of the council.

Many of these reforms, particularly those relating to human resources management practices, are long overdue. For example, Chapter 12 of the Act, which refers to local government staff, contains many new provisions which will require councils to significantly upgrade their performance in industrial relations and personnel management.

Mr Laming: Do you support the fines?

Mr ROBERTSON: I will come back to that, because I picked up on something the honourable member said earlier tonight. Having come from and industrial relations background, I know only too well how poorly some councils in this State have performed in their treatment of staff, often long serving and loyal staff, over many years.

Clause 704 of the Bill requires local governments to comply with a number of principles in their personnel practices. Local governments must now adopt practices for appointing persons to positions that are directed towards ensuring the proper assessment of merit of each applicant. Employees are to be treated fairly and equitably without resort to arbitrary action and irrelevant personnel preference or coercion. Employees are also to be given, as far as practical, effective education, training and development directed to better organisational and individual performance. Equal employment opportunity will now be a future of local government regulations.

The Bill also contains significant and detailed provisions relating to the disciplinary actions that may be taken against employees. This is what is significant in terms of the comments of the member for Mooloolah earlier today. The provisions go towards putting local government on an equal footing with State and Federal Government employees in relation to the fair and unbiased hearing and determination of appeals against disciplinary actions that may have been taken against any council employee.

The Bill widens the actions that can be taken against an employee who may have engaged in misconduct or who may have been incompetent or negligent. Previously—and this is what is significant—dismissal was the only remedy available to a council against such an employee. It will now be the case that employees may be demoted, fined, reprimanded or suffer a reduction in salary if they are found to have engaged in conduct that is of an inappropriate standard.

I turn to the issue of fines. I mentioned earlier that I came from an industrial relations background prior to entering this House. I came from an industry in which the employees were governed in earlier years by council by-laws and, after that, State Public Sector Management Commission standards. Employees could be fined if they engaged in forms of misconduct. In relation to the comments of the member for Mooloolah, the question of fines can work in an employee's favour. Under the previous system, if all that local governments had available to them as a form of action against an employee was

dismissal, surely it must be fairer and more just to widen the range of actions that an employer can take against an employee to include measures that are not as severe as dismissal.

Similarly, a reduction in salary, which the member for Mooloolah did not mention in his speech, is certainly more severe than a one-off fine. In terms of my experience, a fine is appropriate against an employee who is proven guilty, and perhaps has gone through the appeal process, when that employee may have engaged in conduct which may have damaged the property of the employer. The fine can be used as some form of refund to the employer for the damage caused by the employee's actions. I state that those things should only apply if the employee is in fact proven guilty of those kinds of actions. So it is not as tough or inappropriate as the honourable member might suggest. In fact, it can be used appropriately in quite progressive management practices. I take the comments of the honourable member on board, but I think that there is a positive role for it.

An honourable member interjected.

Mr ROBERTSON: I take that interjection. In my experience in the Fire Service, it was applied very rarely and only in very particular circumstances. I should mention that one of the benefits of this Bill is that the employees have available to them an appeal mechanism so that, should it be used inappropriately, they can get a fair, just, and inexpensive hearing to determine whether that was or was not a fair action for an employer to take.

Importantly, the Bill provides a number of remedies to the employee, if he or she is aggrieved by disciplinary action imposed by the employing council. The employee, if dismissed, can either seek a ruling from the Industrial Relations Commission or, in relation to other forms of disciplinary action, can appeal the decision before an independent appeals tribunal. The provisions contained within the Bill with respect to appeals against disciplinary action are similar to State Public Sector Management Commission standards. That is only one of a number of areas in this Bill where justice and equity provisions affecting local government employees have been included.

Another major reform contained in this Bill is the requirement for local authorities to adopt accrual accounting measures in their budget and financial statements. Accrual accounting differs from cash accounting by bringing to account expenditure and revenue when it is incurred or earned, rather than when it is paid or received. Where assets such as vehicles and buildings are acquired, these will be treated as expenses over the period of their use, rather than the period in which they are initially purchased.

Information is the key to effective management and financial information is the key to effective financial management. Without adequate financial information, managers do not have the tools to manage and do not have the means to measure their effectiveness. Accrual accounting provides the tools and empowers the responsible local government manager, which in turn not only provides a list of assets of the council but also records where they are and what they are worth.

The requirement to change to accrual accounting allows better performance measurement, but, it must be admitted, does require additional resources and imposes additional responsibilities on staff. However, I take issue with the comments of the member for Callide who earlier today raised concerns about the requirement for councils to adopt accrual accounting. It was claimed by the member for Callide that the requirements were in some way onerous. It should be stated that it is not this Bill per se that imposes requirements for councils to adopt accrual accounting procedures.

Demonstrating a level of ignorance about local government that can only be compared with the Opposition members' understanding of the Mabo High Court judgment, members of the Opposition, by their comments here today, have clearly failed to appreciate and understand that the requirement to move to accrual accounting arises from the Federal Government's Australian Accounting Standard 27 introduced last year.

It may interest the Opposition to know that the first local authority in Queensland to adopt accrual accounting was the Brisbane City Council under the Soorley Labor administration. Accrual accounting allows for financial information to be presented in a far more understandable format, thereby making local authorities more accountable to the community.

It is clear that by any standards, the Local Government Act 1993 represents a significant departure from the past. The reforms that are being introduced through the Act bring new obligations and significant responsibilities to local authorities. It is therefore important that employees and elected officers of councils understand what will be required of them. Training will, therefore, be critical if these

obligations are to be met and councils are to adopt and pursue the new reforms.

The provision of training resources for local government officers is an essential part of the reform process. It would be fair to say that this Parliament can pass as much well-meaning legislation that it likes in terms of requiring individuals, employees or employers to act or conduct business in an appropriate manner, but unless training and education are provided, then the central message contained in the legislation will never be as effective as it should be.

The Local Government Services group in the Department of Housing, Local Government and Planning has responsibility in this important area and has already begun the task of identifying and prioritising training needs. A committee comprising representatives of Local Government Services, the Local Government Association of Queensland and the Institute of Municipal Management has been established to oversee this process. At the moment, the committee is focusing on the 1994 local government elections and is considering the needs of both candidates and returning officers.

A Local Government Services/private sector initiative was also commenced some time ago to provide training in the new accrual accounting requirement. These training programs are well advanced and have proved to be very successful. In due course, the training committee will look at the entire range of training required for the successful implementation of the new Act.

I am amazed that the significant reforms received no attention from the Opposition spokesperson for Local Government, the member for Callide. She decried the additional workload and responsibilities on councils that, for example, accrual accounting and the new disciplinary procedures place on council officers. She completely ignored the fact that the department has recognised these additional responsibilities by providing training for council officers in order that these reforms, once introduced, succeed.

Mrs McCauley: It's not training they need, it's more hours in a day to get through it all.

Mr ROBERTSON: That is quite true, but the honourable member would have to admit that training is an essential part of actually performing the duties required of them. That is training that certainly was never provided while the National Party was in Government.

Surely, concern about additional workload and responsibilities should not stand in the way of significant reforms to make public institutions, such as local authorities, more responsible and more accountable to those who finance them, that is, the ratepayers. To suggest otherwise is simply ridiculous and positively jurassic.

This Bill represents a significant reform in the organisation and operation of local government in Queensland. As I said in my opening remarks, this reform is long overdue and cannot be sensibly denied by anyone in this State. One needs only to consider the comments by Local Government Commissioner, Greg Hoffman, in the recent annual report of the Office of Local Government to appreciate how long overdue reform in local government has been and how some people, both in this House and in some local authorities, fear change based on the most spurious of grounds. We have seen plenty of that in the debate today.

At page 2 of the annual report, the Local Government Commissioner states—

> "Local Government cannot stand above the sea of change of micro-economic reform in the public and private sectors. Nor should it. Yet when reform is mentioned, there is a chorus of cries that it is unfair and undemocratic, it is wrong. We do not hear such cries when boundaries of federal and state electorates are altered nor when companies are merged."

At page 3, he states—

> "What I am getting at is that local government needs not only a new beginning but a new thinking. The thinking of the past is somehow prevalent. Some local government leaders and members of the public have said in defence of the status quo"—

and we have heard it here time and time again—

> " 'if the wheel of the cart ain't broke why fix it?' "

Mr Hoffman's comments were—

> "Such thinking is blind. Such sentiment is easy."

If there was ever a more accurate description of how the National Party views local government, then I have yet to hear it.

Mr Springborg: You'd do well in New Zealand with the economic rationalists over there.

Mr ROBERTSON: Quotes seem to be the order of the day. I will refer to a classic quote from the Opposition spokesman. When the Opposition spokesman for Local Government quotes some outdated view in this House that all Government reform is doomed to failure, then we can rightfully question whether the National Party has successfully shed its well-earned reputation for shady deals in brown paper bags.

Mr Cooper: How many councils are you on? How much experience have you had on councils—local government?

Mr ROBERTSON: I have never sat on the council.

Mr Cooper: Carry on.

Mr ROBERTSON: I am happy to take the interjection. The member does not want to pursue it. If he wants to back down, that is fine. Again, I will refer to the Local Government Commissioner's annual report, which states—

> "Anyone who doubts the greater demands on us for accountability could do worse than read the press lately. It is becoming increasingly common to read that this level of Government is the most efficient, the most wasteful and it is hard to escape the plethora of reports on alleged misuse of public funds."

Given that quote, I ask Mr Cooper: has he ever sat on a local government council?

Mr Cooper: Yes.

Mr ROBERTSON: I thank the member. Therefore, to raise concerns about the additional responsibilities for openness and accountability that this Bill imposes on all local authorities demonstrates a less than full commitment to the Fitzgerald-style reforms of this important level of government. Similarly, it is plainly ridiculous to suggest, as the member for Mooloolah did today, that local authorities have no role to play in stimulating local economies. That statement is simply a cop-out, and ignores the important role that local authorities play in funding employment schemes and other projects that are of benefit to the local community. I suggest to the member that he reads the annual report of the Local Government Commissioner to gain an appreciation of the roles that local governments play today. He will soon discover the significance of the role that local government can play in stimulating the local economy. Clearly, this Bill deserves the full support of all members of this House without reservation.

Mr COOPER (Crows Nest) (9.43 p.m.): Thank you, Mr Acting Chairman. I, too, am pleased——

Mr Mackenroth: Mr Deputy Speaker.

Mr COOPER: Mr Deputy Speaker. I will not call Mr Deputy Speaker the mayor—not yet. I am pleased to be taking part in this debate because I, too, have had a reasonable amount of experience in local government, and I enjoyed every bit of it. I started in local government in 1976 in the Bendemere Shire, which is based in Yuleba. I had 12 fabulous years on that council. It taught me then, and I still say it, particularly after 10 years as a member of this place, that local government is the best form of government. It is certainly the form of government that is closest to the people. Right from the start, councillors deal with people's problems. I think that that is not a bad grounding for anyone to receive.

This is certainly major legislation, and we can regard it as a joint effort because work started on it before this Government came to power. There is more enjoyment in legislation that members can have some rapport and unity with and, hopefully, it will be for the good of local government throughout the State. As I said, local government is the form of government closest to the people. When all is said and done, that is what governments are supposed to be all about. Therefore, with the tremendous amount of effort that has been put into this legislation, as has been outlined well and truly in this place, hopefully the final outcome will be better local government throughout the State.

I acknowledge all the councils that have made contributions. Certainly, I acknowledge those councils in my electorate—Crows Nest, Jondaryan, Rosalie and Esk. I also acknowledge those councils with which I have had previous involvement—the Roma Town Council and the Bungil and Bendemere Shire Councils, where joint efforts have existed for quite some time and have proven to be highly successful. They are good examples for other local authorities to follow. They have shown that joint efforts can be entered into and be successful rather than forced amalgamations, to which I am totally and utterly opposed.

As I have said, local government is the tier of government that is closest to the people. It has demonstrated the need for change, and many councils have recognised that need for change. I think that they have gone along with the proposed changes in a very cooperative manner. I met Councillor Jim Pennell in the dining room. I asked him, "How

are things?" He said, "As far as this legislation is concerned, I think that it is a joint effort." He believed that it could well be regarded as either coalition legislation or Labor Party legislation. Because of that, he believed that it will be healthy and good for local authorities.

Quite obviously, when new legislation is brought in, especially major legislation such as this, it has taken a lot of work on the part of a lot of people—councillors, the community, the staff, the engineers, the health inspectors, the building inspectors; all of those people who go towards making up local authorities. I know that they are prepared to put in that work. We have to recognise the tremendous workload that has devolved upon councillors and other people involved with councils. Hopefully, once this legislation is passed, those people will be able to get on with the job of carrying out their respective tasks, and not be inundated with endless reports, about which they have complained for so long. It takes them away from the work that they are elected and paid to do. Nevertheless, as I said, once the legislation is passed, hopefully they can get on with the job.

I have mentioned forced amalgamations. I think that it is highly dangerous and unhealthy for people to have amalgamations forced upon them. I have always said that the role of the people is paramount, and that they should be given an opportunity to have a say about whether they want to be amalgamated or not. I cite particularly the case of the Shires of Warwick, Rosenthal, Glengallan and Allora. I still feel deeply for the people of those shires. I do not think that the decision in regard to those shires was right. Eventually, those people should be given an opportunity to have their say. Even though amalgamation has been forced upon them at this stage, I do not believe that anything is set in concrete forever. I think that it is wrong that those councils, or any other shire councils, have been forced to amalgamate.

I refer to the role of the Local Government Commissioner. I know Greg Hoffman from way back. I am not pointing the finger at him as such. However, I am saying that a commissioner in this position can be given a tremendous amount of authority and influence. That can be dangerous because, in the final analysis, it is most important that the elected representatives are the ones who hold sway, and they always should. We must never ever go away from that principle, because we are the elected representatives of the people, and the people are the most important aspect of this legislation and, in fact, of any legislation.

I have mentioned the people, such as the shire clerks, who are now referred to as chief executive officers. However, we should all take stock and give due consideration to the engineers, the health inspectors and the building inspectors, because they are the people who are copping the majority of the workload.

I want to briefly go through the various matters raised in the Minister's second-reading speech. In that speech, the Minister recognised that local government should play a greater role in the social, economic and environmental wellbeing of communities. I believe that, in many respects, that is happening already. Most of the shires in my electorate are already doing that, so I believe that the Bill is actually validating what is already occurring. I believe that the local governments can handle all the increased responsibilities provided in the Bill, but they will need the wherewithal to carry out the extra tasks, and that means the provision of increased funding. The councils cannot be asked to accept more responsibility and undertake increased tasks without the provision of adequate funding.

In his second-reading speech, the Minister mentioned the more mature relationship between the levels of government that has also developed, along with a recognition that functions should be devolved to the most appropriate level. The Opposition accepts that proposition but, as I say, it will only be realised at a price, and adequate funding should be provided.

Community participation is mentioned frequently throughout the legislation, which is absolutely as it should be. I believe that the community is certainly ready to take a more active role in the operations of local government. I sincerely hope and trust that people will take a more active role in making this legislation work because the Bill provides for an increased emphasis on performance and accountability. It is up to the people to get involved in the operation of local governments to a much greater degree than is the case presently so that they can insist upon better performance and greater accountability. Of course, at election time when councils' performances are being scrutinised, a greater degree of accountability is evident, but councils should be performing efficiently throughout the three-year period of their term. If audits are being conducted and the performance basis is made clear, I believe that councils will improve their performances and accountability on an ongoing basis, and that is the way it should be.

The Minister stated that local laws will take the place of by-laws. In this context, I can recall that in relation to prostitution the 1936 Act provided that local authorities were permitted to introduce by-laws designed to uphold the morals of the region. I have no doubt that whether the term is "by-law" or "local law", local authorities will continue with their task of making laws that uphold the morals of their regions. To illustrate the need for local laws, or by-laws as they are presently known, I cite the example of "blockies" as they are known in the Tara Shire. In the absence of high standards of regulation, shires often encounter low-grade development, which is a danger to many areas. People move in and begin living in shacks and shanties, and sometimes they use vehicles as their homes. When that happens, the development standards can slip quite dramatically. People in the Bendemere Shire did not want that to happen and introduced a model by-law to enable the local authority to maintain high standards, thereby avoiding the emergence of slum areas. Low-grade developments do not suit anyone and they do nothing to enhance a local government area.

In my electorate, some problems are also being caused by feedlots. Although progress, development and productivity should be encouraged, we must always bear in mind that local authorities should retain a major say in matters affecting the quality of life of the people who live in the shire area. If a feedlot is badly run or not properly maintained, the quality of life for people in populated areas nearby can be absolutely ruined. Therefore, elected local government representatives must be able to maintain high standards of development and control.

The Bill provides that councils will prepare a corporate plan setting out a council's mission or reason for existence and identifying the goals that the council wants to achieve. A short time ago at my request, the Minister visited my electorate because of the growing pains being experienced by the Crows Nest Shire. The shire representatives can see that the shire is expanding very rapidly. No-one can stop the growth—nor does anyone want to—but development must be undertaken on a basis that will benefit the entire region. Council representatives have to try to look ahead and gauge the effects of development in 30, 50 or 100 years' time. I was pleased that the Minister took an interest in the problems. That is the way it should be, and I encourage him to keep doing so because it is really the only way that a Local Government Minister can become aware of problems at the grassroots council level. The shire chairmen in my electorate, Councillors Geoff Patch, Alick Williams, Jean Bray and Peter Taylor are totally and utterly dedicated to the development of their shires. They have modernised their operations and are totally mature in their outlook. They are the sorts of people from whom much can be learned and from whom many good ideas can be obtained.

The Bill provides for councils to prepare annual budgets between June and August each year. I mention in passing that shires have had problems in preparing budgets because they were always wondering what the Local Government Grants Commission would allocate. The grants would often be made after the budget had been prepared. I do not know what the arrangements will be in that respect for the future. Nevertheless, the grants are certainly vitally important to councils' budgets and financial planning.

The requirement for a council to provide an annual report is a good idea. However, one of the effects of this Bill is that a tremendous amount of work will devolve onto shire clerks, who will be known as chief executive officers, and other staff. I say quite genuinely that their workloads are enormous. Although I acknowledge that a local government needs to assess its own performance in order to maintain standards, it should also be remembered that an increase in reporting responsibility will result in an increase in costs. Notwithstanding that, I believe that this provision of the Bill has merit because being able to look back over a shire's previous performance provides a council with a better opportunity to plan for the future and look forward to projects that may come to fruition in three or five years' time, or even 10 or 15 years' time.

The Minister's second-reading speech also refers to contracting requirements and five principles that will be applied, namely, open and effective competition; value for money; enhancement of the capabilities of local business and industry; environmental protection; and ethical behaviour and fair dealing. The Opposition has no problem with those principles. Indeed, I believe that most people would say that they are appropriate. I note the other conditions that apply, but the time allowed for my speech does not permit me to discuss them in detail. They have already been mentioned, and I will be working closely with the local authorities in my electorate as this Bill is implemented. I note the flexibility contained in relation to contracts where a sole supply situation or genuine

emergency exists. I believe that a degree of flexibility is essential in this type of legislation.

A local government's rating function is not only complex but also causes a great deal of angst and concern among members of the community. People constantly say that councils should be seeking a better, fairer and more equitable system of rating. I believe that it behoves local governments to keep looking for a better, fairer and more equitable system. I do not advocate change for the sake of change; therefore, any new system of rating would have to be better because it is more equitable and fairer than the one it replaces. In the Esk Shire, ratepayers in a particular part of the shire have expressed extreme concern about the massive increase in their rates due to the proximity of their areas to rapid growth and to Brisbane. The people concerned are rural people who do not have the financial ability to meet the increase in rates, which, as I said, is extremely high. Both groups are in a cleft stick because the ratepayers are not in a position to meet the massive increase in rates, and the Esk Shire Council does not appear to be in a position to grant any concessions or alleviate the financial burden on the ratepayers. I am concerned that something unpleasant will happen. The Government has got to be able to resolve these problems.

It has already been proved that a differential system of rating can work. A few years ago when the system was introduced by the previous National Party Government, the Bendemere Shire was one of the first, if not the first, to utilise it. A gas station worth approximately $13m paid only $20 or $30 in rates, whereas the people who lived only a short distance away paid $5,000 or $10,000 a year. After the differential system of rating was introduced, the rates paid by the gas station were increased to approximately $5,000, which was much fairer. It was proved that in certain circumstances differential rating can work. It is up to shire councils to utilise that system of rating to make the burden of paying rates fairer for all the people concerned, especially those experiencing financial difficulty. I note the reference to the discretionary power of councils. That is a key factor of this legislation.

The second-reading speech referred to the fact that elected members represent the public interest and that the chief executive officer implements the decisions of the council. That reiterates the role of elected representatives to represent the public interest. Sometimes, shire clerks tend to take over and become the most important part of a local authority. That is wrong. It is up to the elected representatives to assert themselves and to represent the interests of their people over and above all other considerations. The chief executive officer is responsible for establishing a system to provide advice or assistance to the council and individual elected members. That is as it should be.

I note that elected members should not be involved in directing or organising work. That is the correct position. The second-reading speech states also that elected members should spend less time on ad hoc decision-making. I suppose that refers to potholes and the like. Elected representatives receive telephone calls every day and every night seeking action to be taken on fixing potholes and other matters. Those matters are important to people. Therefore, elected representatives will still have to take note of them.

The register of interests is a matter that we as parliamentarians have had to live with. That is what the people require of us, and it is something that representatives of local authorities will have to go along with. The second-reading speech refers to the arrangements for the remuneration of councillors. The arrangements have to be clearly notified and advertised. That is appropriate. However, once that is advertised publicly and everyone is aware of the arrangements, everyone should accept those arrangements so that the elected representatives can get on with their jobs. Whatever arrangements this Parliament puts in place—whether it be daily travelling allowances, the various controls and audits or whatever—to ensure that members are accountable, we will still be criticised. Sometimes, one is forced to wonder why we have DTAs and other provisions, because we will be crucified whatever we do. I sincerely hope that, once the arrangements are made public and everything is above board, shire councillors can get on with their jobs.

I turn to joint boards and joint local authorities. As I said before, that arrangement has worked extremely well in Roma and the Bungil area, where the showgrounds, the rodeo grounds, the racecourse and other facilities were combined about 20 years ago. That demonstrated that Bungil and the Roma town can work very closely together. That is a shining example of joint local authorities. That is the way that I believe it should be. It allows tremendous flexibility. That they can each have their own identity and can get on with their own work in their individual shires. However—and the Minister should take note—that occurs on a regional basis and on

a joint basis. As far as I am concerned, that can be a successful form of local government. I have pleasure in supporting this legislation and watching its progress. I will try to assist with its progress.

Mr J. H. SULLIVAN (Caboolture) (10.04 p.m.): Thank you, Mr Deputy Speaker.

Mr Barton: Watch out, "Fifi". Here comes the bearded assassin!

Mr J. H. SULLIVAN: I hasten to assure the member for Maroochydore—to whom the member for Waterford refers—that she need not rush from her office in this complex to the Chamber. I shall not be mentioning her during my contribution. As to my being a bearded assassin—I am not sure that that applies, either.

It is a pleasure to join this debate.

Mr Springborg interjected.

Mr J. H. SULLIVAN: My mother is wonderful, and I am sure that she wishes the member for Warwick the best. As we have heard at some length from a number of members, among other things, this Bill ensures accountability and autonomy for local authorities, both of which will be welcomed by the people whom they serve. The one thing that it does—and this is something that I want to talk about this evening—is provide the system by which a large number of people in this State practice the art of politics. Before I discuss that point, I mention the election held over the weekend in the Cooloola Shire, in which Councillor Adrian McClintock was returned. I congratulate Adrian. He is now the Cooloola Shire Chairman. I suspect that he will be the Cooloola Shire Chairman only until this Bill is assented to, when he will become the Cooloola Shire Mayor. He may be the shortest-serving chairman of any shire in Queensland.

Mr Cooper: Give him a break!

Mr J. H. SULLIVAN: Obviously, his title will change, and he will be the last Chairman of the Cooloola Shire. I express some level of regret that a person with the experience of Joan Dodt, who contested the shire chairmanship against Adrian, was not able to be returned. Of course, in a contest in which only one person will win, two cannot win. It is something of a tragedy for that shire that both of those highly talented people have not been returned to the council.

When I discussed the results of the election in the Cooloola Shire with a member of the National Party, the comment from that member was, "It was a clean sweep for us." In other words, he was saying that the National Party had a clean sweep of the positions on the Cooloola Shire Council. That gives the lie to the constant assertion that there is no politics in local government. There is most assuredly politics in local government.

Mrs McCauley: Who said that?

Mr J. H. SULLIVAN: The member for Gympie made that comment to me this morning. If there is no politics in local government of a formalised party political brand, there is certainly the politics of hatred that expresses itself throughout many of the councils in this State.

Members of local authorities need to be very sensitive about their individual and collective reputations. The members of the Caboolture Shire, which makes up the majority of my electorate—although it makes up a majority of other electorates, as well—are considered quite badly by the residents of the area. Let me state at the outset that I am not a disinterested party in this matter. My wife is a member of the Caboolture Shire Council's opposition minority group. It is illuminating to examine the reasons for the view that the people in that area hold that reflect badly on that council.

In 1988, the council consisted of six male councillors, five female councillors and a male chairman. At the 1991 elections, the council returned six women councillors, five men, plus a woman as chairman. Those female councillors, for probably the first time in the shire's history, refused to operate as a rubber stamp for the decisions of the council officers. There was a great deal of heat in the chamber between the minority group and the ruling majority group, which generally defended the recommendations made by the officers. One can only draw conclusions as to why they might adopt that position. On at least two occasions to my knowledge, the shire chairman has had to call the police to the council to evict a councillor with whom she was unhappy.

Straight after the 1991 elections, a now happily defunct local newspaper seemed to take it upon itself to conduct a campaign against the council—a crusade, if you like. One of the reasons for that was the fact that the council was now dominated by women, and the editorial stance of that newspaper suggested that women were not capable of running a local authority.

Mr Ardill interjected.

Mr J. H. SULLIVAN: It is a bit of both. In fact, a woman who lived at Deception Bay, which was then in the electorate of Ken

Hayward, reported the newspaper to the Press Council. I will come to that matter shortly.

The newspaper, in all its permutations—and there have been many—is responsible by and large for the council's bad reputation, which it quite clearly does not deserve. I have already mentioned the aspect of the councillors questioning in depth the recommendations of the officers, and not simply accepting them. On recent figures, the Caboolture Shire is the third fastest growing shire in this nation. That must lead to some level of competence on the part of the people who are running the council. Providing for the new arrivals is the job that those people have been carrying out. Providing for new arrivals is the prime focus of the Act that we are replacing this evening.

Thirdly, it would be illuminating for members to realise that the Caboolture Shire Council, without any fuss or bother, without any "drag 'em down, tear 'em out" infighting and without any acrimony, was able to reduce the number of councillors to be elected at the next triennial election from 11 plus a chairman to 6 plus a chairman. I put it to honourable members that, in almost every other instance in this State when councils have sought to reduce the number of councillors, a "drag 'em down, tear 'em out" battle has been fought because some people are scared that they might be cut from the council roster at the next election. Here we have a council that is without fear reducing its numbers by half, and that must mean that half of the councillors have no chance.

We must ask why the campaign against the local council was undertaken. The newspapers in question had an unashamedly pro-development and pro-conservative politics editorial policy, and they editorialised to that effect. They said that they were unashamedly pro-development and pro-conservative politics. In the 1988 council election, when the ALP entered an endorsed team in the Caboolture Shire Council—with limited success, I must admit—the newspaper wrote an editorial saying that it would refuse to accept advertising from the ALP team, so strong was its stance. In the 1991 election, the newspaper supported failed candidates hand over fist. Of the 12 candidates that it supported, only three were elected. The newspaper set out to bring down the council, to bring down the councillors, to distort the facts and to selectively report the facts. I have already spoken about the newspaper's crusade against a number of women who were elected to the council, resulting in a most horrendous article suggesting that the council would have to install television sets in the council chamber so that councillors could watch the television soapie *Days of our Lives* while the council was meeting. That was disgraceful.

Let us have a look at the newspaper's action on one application that went before the council. That application was for a child-care centre on Bribie Island. I reside on Bribie Island, and I know that the one thing that Bribie Island desperately needed as its population went through the 12 000 mark was a child-care centre. The council officers who assessed that application recommended to the council the rejection of the application. One of the councillors, I am proud to say Councillor Sullivan, objected to that rejection and asked the council officers to bring back to the council a recommendation suggesting that the application be approved with conditions for approval. The officers brought back a recommendation with a number of conditions, but they prefaced that recommendation with words to the effect that they did not agree with the recommendation that they were making. However, the council in its wisdom approved the recommendation and the developer accepted the conditions. As a consequence, Bribie Island now has an excellent child-care centre.

However, not a single word of that activity appeared in the pages of that newspaper. Let us examine why. It would be no surprise to honourable members that Councillor Sullivan is a well-known ALP identity and has been regularly defamed in the columns of that newspaper. The developers are a well-known National Party family. The councillor could put aside political differences for the good of Bribie Island, but the newspaper had a conundrum. It either had to praise the Labor Party councillor for her efforts in getting that facility for Bribie Island or it had to denigrate the need for the facility and therefore denigrate or belittle the National Party identities. It would not do either of those, so it ignored the fact that Bribie Island was to get a child-care centre and did not report it. I put to honourable members that any local newspaper that they know of would report such an instance.

The Caboolture Shire Council knew just what kind of newspaper that was and, in its early days, sought to bring to the council an accreditation system for journalists similar to that which is used in Parliament House. The basis for that accreditation would be AJA membership. AJA members are required to abide by a code of ethics or face penalties for breaches of that code. The editor of the

newspaper in question had summarily dismissed any members of his staff who had ever had a whiff of an AJA membership about them. At that time, he wrote in his newspaper—

> "This newspaper subscribes to the ethics of the Australian Press Council and abides by its decision in all matters."

Not 18 months later, the same editor basked in the national spotlight on television, in the *Australasian Post* and in metropolitan newspapers, unrepentant about an adverse finding against him by the Australian Press Council. He discredited himself.

Let us consider the editor personally. He was responsible for delivering to the current members of Caboolture Shire Council the bad collective reputation that they have. He has been a personal bankrupt three times—once in Western Australia, once in Victoria and once in Queensland. He seems to have an aversion to meeting commitments. In the early eighties, he established a newspaper called the *Caboolture Star* and did a runner on creditors when that newspaper was unsuccessful. In 1986, he entered into an arrangement to purchase the *Bribie Times*. At various times, he published the *Bribie Times*, the *Caboolture Times*, the *Deception Bay Times* and the *Caboolture and Bribie Times* through a company called Havenmont Pty Ltd. Although he was bankrupted during that period, the man retained effective control of the company. The Australian Tax Office began a winding-up action against Havenmont, which owed a six-figure sum in unpaid group tax. It had withheld tax from employees but not paid it through to the office. Havenmont entered an agreement with the ATO to repay taxes, at the same time hatching a plot to retain the newspapers but to evade the taxes.

Mr Horan: What Bill is this?

Mr J. H. SULLIVAN: For the information of the honourable member, I am making a speech on the practice of politics in local government, which is covered by the Bill before the House. A new company was formed, called the Caboolture Newspaper Company Pty Ltd. The masthead was transferred from Havenmont in consideration of shares, and further shares in the company in $10,000 parcels were sold to employees. If one wanted a job, one bought shares. Havenmont was then put into liquidation with the tax bill unpaid. New shareholders became worried when they discovered that Caboolture Newspaper Company income was being used to pay off certain Havenmont debts, such as printing, arguably fraudulently.

That culminated in a successful action to wind up the Caboolture Newspaper Company, again owing a substantial sum to the Australian Tax Office as well as to other creditors. The next step was to start a new newspaper, this time called the *Caboolture Chronicle*, and it was business as usual. Earlier this year, after the reputable Sunshine Coast Newspaper Company decided to change its Caboolture newspaper from a paid newspaper to a free newspaper, lifting distribution to 21 000 copies and poaching *Chronicle* advertisers, the newspaper closed down. By that time it was being printed interstate, apparently having exhausted credit with everyone capable of doing the work in south-east Queensland——

Mr DEPUTY SPEAKER: Order! Will the member please inform the House of the relevance of his statements at present to the Bill before the House?

Mr J. H. SULLIVAN: Absolutely. As I said previously, the purpose of the speech is to demonstrate clearly how the members of local authorities must guard their reputations and their practice of politics as it is carried out at local government level. I am moving towards a point that will make it all clear to honourable members precisely what my point is, if I can be given a couple of minutes.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! Very well. The honourable member has only four minutes left.

Mr J. H. SULLIVAN: The effect of those newspapers on the collective and individual reputation of Caboolture Shire councillors has been profound. The ramifications will be felt by them, I am sure, at the elections next March. It is unlikely that many of them will recover their reputations.

Just prior to the demise of the *Caboolture Chronicle* it began publishing excerpts from telephone conversations of a local businessman. The conversations had been illegally intercepted and recorded. By and large, they were conversations with members of the local council and with myself. The editor explained his airforce background and said that he was qualified to authenticate the tapes. The Parliamentary Service Commission actually swept my office for bugs. The person who was brought from interstate for that task—a former Commonwealth policeman—indicated to me that the only people in Australia who could authenticate those tapes were the Federal Police or officers of the Federal Attorney-General's Department.

If the newspaper editor's experience as stated by him was correct, then he would have had the expertise both to intercept and to tape those conversations. While investigating the taping, the Federal Police raided the home——

Mr DEPUTY SPEAKER: Order! The Chair has been very tolerant of the member for Caboolture. It is not going to last.

Mr J. H. SULLIVAN: The member for Caboolture appreciates the Chair's tolerance. Let me get right to the point. The newspaper went down the gurgler, and the editor of that newspaper is no longer a blight on the local government political system of Caboolture Shire. We ask ourselves, "Why?" It is because this person has now found himself a job on the Federal Government's payroll.

Dr Watson: A Labor Government payroll.

Mr J. H. SULLIVAN: I take the interjection, "A Labor Government payroll", because members opposite do not know where he is working. The newspaper editor in question is living in Carseldine in Brisbane and he is on the payroll of the Federal member for Kennedy, Mr Bob Katter, who latterly sat in this House. This is a man who withheld group tax payments that he took from employees and did not pass them on to the Federal Government. He is the kind of person whom Opposition members would succour, and give comfort and shelter. They are no better than he is. I would say to members opposite that he has been given a reward for services rendered to the National Party on the Caboolture Shire Council. These members masquerade as Independents throughout the State, but the reality is that they are all National Party people.

Let me conclude by saying that I commend this Bill to the people of Queensland. I believe that it provides for a wonderful system of local government in this State.

Time expired.

Mr J. N. GOSS (Aspley) (10.24 p.m.): To the disappointment of the House, I do not have a newspaper that I can criticise, so I am going to have to break the mould. Firstly, let me say that local government is the most important level of government. It is the level of government which deals with the day-to-day issues. Many members of this Parliament who have served on councils would readily appreciate that. I am sure that Mrs Woodgate, the member for Crows Nest, and many members in this Chamber who have served on councils understand the real level of service that is provided on a day-to-day basis in the community. I feel that my time in local government has enriched my life. Some other members would no doubt feel the same way. We would certainly appreciate being members of a local government after our days in this Chamber.

After a long, drawn-out process and review after review, the Minister introduced the Bill on 18 November so that it could be rushed through and could take effect before the next local government election on 26 March next year. This Bill has been almost eight years in the making. In his second-reading speech, the Minister said that the principal focus of local government back in 1936 was the provision of basic community infrastructure and property-related services. I would hope that services such as roads, parks, water and sewerage, rubbish collection, drainage and financial management of councils are still the principal focus of local government in this State.

I will admit that since 1936 most local authorities have introduced town and regional planning, and over the past 20 years in particular local government has become far more accountable to ratepayers. After the previous speech, members opposite may find my contribution on local government rather dull and uninteresting, but at least I am speaking to the Bill. Again, to quote the Minister—

> ". . . a system where councils can achieve their potential, and mutual respect exists between the State and local governments; and a system where we can work together as partners."

Recently, we saw this State Government's regard for mutual respect and the well-being of the community when the Minister for Tourism, Sport and Racing rushed his Bill on the Lang Park upgrading through this Parliament. The extension of local government into areas that are currently the responsibility of other levels of Government is not a good sign for the ratepayers of that particular local authority.

A classic example is the proposal by the Brisbane City Council to go into the area of welfare housing and to try to force urban consolidation onto residents in some areas. The Brisbane City Council urban consolidation scheme will have the drastic effect of changing the face of Brisbane forever.

Mr Robertson: Like Sunnybank?

Mr Beattie: Aspley?

Mr J. N. GOSS: If honourable members will wait, I will list the areas where people have

lodged complaints. The larger allotments with the traditional Queensland homes, usually surrounded with well-established trees, will disappear. This is currently occurring at the rate of eight homes a week. A few years ago, the Brisbane City Council tried to sneak through a change in the town plan that would allow houses in Residential A areas to be turned into flats.

Mr Budd: How many years ago?

Mr J. N. GOSS: A couple of years ago. It was only because of a well-organised campaign led by Alderman Bob Ward that the people of Brisbane became aware of the proposed changes. They rose up in revolt and forced the Labor Council to back down. I attended many of those public meetings and Tim Quinn was the quietest I have ever seen him—he received such a bad reception from the community.

However, in anticipation of the win on 26 March next year, the ALP is ready to move quickly to again introduce the changes that will allow flats and the conversion of homes into multi-residential units in Residential A areas. Even after the public outcry on allowing urban consolidation in Residential A areas, the Brisbane City Council is still strongly committed to its proposals. These changes are still being introduced slowly and stealthily. Let us look at the Lord Mayor's Teneriffe plan. The member for Brisbane Central would know all about it. The council has already spent $6m on the Teneriffe/Newstead proposal and it is still all a dream in Lord Mayor Soorley's head—a $6m dream.

However, the first sign of development by the council will be construction of welfare units and residential units between Wickham and Anne Streets on an open area opposite the valley pool. The welfare units will be right next door to the BMW and the Mercedes Benz showrooms. We are talking about being accountable, responsible, and helping to create jobs and, at the same time, spending the ratepayers' funds wisely.

Let us look at the Brisbane City Council Urban Renewal Task Force that has delayed the $115m development of Newstead Quays. The only activity in the area was a number of small businesses that were closing down—people losing their businesses and their jobs. Hundreds of jobs were going begging because the Brisbane City Council, and in particular the Lord Mayor, wanted to personally control the development. It was not only Newstead Quays which was being affected but also hundreds of people throughout Brisbane.

After the 1994 elections, every head of council will be called a "mayor". The other day, a councillor from a shire near Brisbane asked me whether the equivalent female title for "mayor" would be spelt M-A-R-E. As I said, that question would have to be directed to the Minister. Every elected representative would be called a "councillor". It is typical of Labor Governments to break down long-held traditions. The Minister has said that the issue has attracted the most attention in this Bill.

An excerpt from a letter from the Pine Rivers Shire Council stated—

> "Council at its Meeting on Monday 15 November 1993 discussed the recent announcement of the Government's intention to change the name of the position of Chairmen in Shires of Queensland to 'Mayor' in accordance with the new Local Government Act.
>
> I would like to express this Council's strong objection to the change of this title. It is felt that confusion would be created in the communities affected by the change and that there is no benefit to be gained from such a change. Council has written to the Minister for Housing, Local Government and Planning requesting further consideration to be given to having the present titles left as they presently exist."

Mrs Woodgate: Read all of the letter. In the last sentence he asks for your support.

Mr J. N. GOSS: It stated further—

> "It would be appreciated if you could support Council in this matter."

Mrs Woodgate: What did you tell them?

Mr J. N. GOSS: I have only just received the letter.

Mrs Woodgate: Rubbish! We got it two days ago.

Mr J. N. GOSS: The honourable member's letter must have been delivered more quickly than mine—Aspley must be another day away. I see no benefit in the change. Councils have to go to the expense of changing signs on doors and changing their letterheads and so on, all because of the whim of the Minister and the Government.

There is growing concern among residents of a number of areas in Brisbane who are determined to maintain their quality of life. As I said before, people are seeking to stop the spread of higher density development in their areas. The residents of Lutwyche, Windsor, Everton Park, Taringa and Clayfield are some of the areas in which

people have expressed a desire for quality of life, rather than allowing this urban consolidation that the Brisbane City Council wants to impose upon them.

I would like to discuss the register of interests. I realise that there is a requirement for a register of interests for elected representatives. However, I am concerned that—and this aspect is of concern to me in relation to our member's register—certain items being listed, especially coin and stamp collections and any other valuable small collection, could encourage theft from the homes of members. This is especially so when these details are published in the newspaper. It becomes common knowledge, and I feel that this puts a member's home and his possessions at risk.

One of the difficulties for elected representatives is knowing the full details of what the council is planning to purchase or construct, especially when extensive committee reports are presented to council. I have been to the Pine Rivers Shire Council and gone through some of its reports. As the honourable member for Kurwongbah would know, an awful lot of reading is involved for councillors if they are trying to ascertain whether there is a conflict of interests—shares might be involved and so on.

I believe that the register of interests for the senior management in local government, especially when the senior officers recommend to council who should be accepted as a successful tenderer or contractor, is good. It should not be made public, as the Bill indicates. In circumstances in which an officer or employee has a personal interest in an issue to be dealt with by the council, I agree that he should notify the chief executive in writing.

In relation to improper conduct by a local government employee—I am not so sure that fines are the answer for someone who may have committed an indiscretion. The employees and the employers should clearly understand their responsibilities. There should be an education of the employees as a part of their induction into their position. I think that the imposition of 35 penalty units for some of the offences listed would be rather harsh. If the offence is serious, I believe it should result in the offender's dismissal.

I turn to the issue of community participation. I believe that the community is now more than ever ready and keen to participate in government. Over recent years, we have seen how the community is willing to become involved in decision making. It is becoming more and more accepted by the community. People now feel proud that they can be involved and participate in their local council's decisions.

In relation to the superannuation aspect of the Bill—I was disappointed with the Brisbane City Council's action to boost the superannuation for——

Mr Mackenroth: That is not covered by this Bill. You realise that?

Mr J. N. GOSS: Newspapers are not covered in this Bill, either. I was disappointed with the Brisbane City Council's action to allow it to significantly increase superannuation payments just to pacify the Socialist Left who were dumped by the Brisbane City Council.

Mr Robertson: How much did you get when you got out?

Mr J. N. GOSS: Very little.

Mr Robertson: Name the figure. If you were a contributor under the old scheme, you would have got more than these aldermen did. Tell us how much.

Mr J. N. GOSS: I got back what I put in.

Mr Robertson: Tell us how much.

Mr J. N. GOSS: And the council did not contribute.

Mr Robertson: Don't avoid it; tell us how much.

Mr J. N. GOSS: After eight and a half years——

Mr Robertson: How many dollars under the old scheme?

Mr J. N. GOSS: After eight and a half years, it was about $30,000.

Mr Robertson: When did you get out?

Mr J. N. GOSS: In 1989. You receive that after one term now, and when I left the council I received what I put in; the council did not contribute to my payment. Under the proposed scheme, the ratepayer is contributing. The ratepayer did not contribute to my superannuation.

The expanding areas of local government such as the mobile libraries in Brisbane, the purchase of bushland, the greater interest in the environment and all of those issues have created a greater expectation by the public that local government and the community will progress hand in hand. The only thing that concerns me is that local government will start to duplicate the facilities that are provided by the other levels of Government.

Mr HORAN (Toowoomba South) (10.41 p.m.): It is with pleasure that I join in

this debate on the Local Government Bill. As did many other speakers tonight, I acknowledge the extreme importance of local government in serving local communities. The review of the Local Government Act commenced in the National Party days. In fact, they produced the initial Green Paper. The review has continued under this Government. The draft was produced in April 1992, so indeed there has been a long time for consultation and review. I understand that, generally, councils and council officers are in agreement with this Bill.

Some of the major changes included in this Bill are, in particular, the method of voting at local government elections where optional preferential voting will be used for single member wards or, as will be the case in Toowoomba, it will be first past the post where there are multi-member systems. Next year in Toowoomba, eight councillors plus the mayor are to be elected.

Also included in this Bill is the system of using only two funds in the accounting systems of councils—the trust and working accounts, and by-laws will become local laws. The Local Government Department will be producing a set of model local laws which will be of assistance to many councils. There has been much talk about joint local government, which is the terminology used in this Bill. That is a method of encouraging councils to work together where they can. A good example of this is EDROC, the Eastern Downs Regional Organisation of Councils.

Tonight, I will speak about the Toowoomba City Council, which serves a city of some 84 000 people and the surrounding population. It has a budget expenditure of $93m. That is one of the major budgets in the Toowoomba area. In the 15 years that I have lived in Toowoomba, it has had four mayors. Three of those mayors have been quite famous people. The late Nell Robinson was the first female mayor in Australia. Nell was well known for her passionate support of Toowoomba and in particular her publicity of the Garden City image and the Carnival of Flowers. She had a great desire to keep rates as low as possible. She was followed for a brief time by the late Jack Duggan, who was a former Deputy Premier of Queensland. He was followed by Clive Berghofer, who was mayor for over a decade. Clive Berghofer had the dual role of being not only the Mayor of Toowoomba but also the member for Toowoomba South for some five and a half years. The current mayor is Alderman Ross Miller, who is bringing his own particular flair to Toowoomba.

In speaking about the things that are happening in the Toowoomba City Council at the moment, I refer to the corporate and operational plans, which are an important part of this Bill. The Toowoomba City Council has entered an exciting phase in the development of plans just at the time that this Bill has been brought before the Parliament. Toowoomba has adopted a strategic plan. It is designed to lift the profile of Toowoomba. Even though the city received much publicity about three or four years ago when the Sydney *Sun-Herald* voted it the No. 1 city in which to live in Australia, the aim of the council's corporate plan is, amongst other things, to lift the profile of Toowoomba in the public and private sectors to encourage development to Toowoomba, be it Government or private. With that development will come an increased number of jobs. We see a subtle change in the way in which local government is operating these days. It is gradually moving away from simply being rates, roads and rubbish to also providing some of those very necessary ambiences in the lives of people in the city.

In the area of regional development, some great meetings have been held through EDROC. A lot of interaction exists between a major city such as Toowoomba, which is surrounded and served by shires such as the Jondaryan Shire, Cambooya Shire and Rosenthal Shire. Recently, EDROC has conducted two studies that were funded by the Federal Government.

One of the limiting factors in the area of Toowoomba and the Darling Downs is the supply of water. Toowoomba is a major city. Other than Canberra, it is the biggest regional city in Australia. It sits some 2 000 feet up on the top of the Great Dividing Range, so it has to lift its water; whereas, most other cities receive their water via gravity. It has to bring its water from areas outside of its own council area. To the west of Toowoomba, the Murray Darling system has its head waters in the Condamine system. At the moment, all of the water in the Condamine is used completely for flood irrigation in the Brookstead and Dalby areas.

It is becoming very difficult for the shires surrounding Toowoomba, and indeed Toowoomba, to find places to provide additional water for the future. The city is growing rapidly, and as the shires around it grow, there is a need for water for future development, not only urban development but also industrial development. Recently, we saw the major meatworks at Oakey, which is owned by Nippon Ham, sink a mammoth bore seeking a large supply of water so that it could

expand the work force and the operations at Oakey. Water is going to be one of the limiting factors for the entire region unless greater water supplies can be found in the future.

Fortunately, at the moment Toowoomba is well served with water and probably will be for the next 20 years, due to the development by the Toowoomba City Council of the Crestbrook Dam to the north of the city, which is the third dam that serves the city. The village-type developments in the surrounding shires place an ever increasing demand on that water supply. They are developing in areas such as Highfields, and townships such as Kingsthorpe, Gowrie, Meringandan, Wyreema and Cambooya. Little villages, which years ago were the centre of rural areas, have become extremely popular because they have a school, a hotel, a shop, churches, a police station and a post office. They are only 15 or 20 minutes' drive from Toowoomba. They can provide cheaper quality land, and much of the growth is now taking place in the satellite areas around the city. So it is extremely important for the Toowoomba City Council and the surrounding shires to work together to plan the future resources for these developing communities and the sharing of facilities between the councils.

Toowoomba is situated on the edge of the south-east Queensland growth triangle, which is sometimes referred to as the Tweed/Tewantin/Toowoomba triangle. Toowoomba is no doubt going to share in the growth of that south-east Queensland area. However, Toowoomba will always retain its own individuality and it will always be an independent city. It will not be reliant upon that south-east Queensland corner. At the moment, Toowoomba is growing at the rate of 2 per cent, which is a good steady growth that always occurs in the area. The surrounding shires are growing in the order of around 4 per cent. The city council believes that a 2 per cent growth is a manageable growth, but now is the time to develop into the city some ambience and a greater deal of amenities within the city.

Consequently, the Toowoomba City Council has moved to have a Toowoomba inner-city character study completed. At the moment, it also has under way a review of the town plan. That review is going to be very important as the city moves from a place that has been famous for its colonial-style housing to a city with a large number of units, Paddington-style townhouses, duplexes and so forth. So quality of life will be an important element as this town plan review takes place. Recently, in my electorate, a group of people applied to the Toowoomba City Council to have their precinct declared a heritage precinct. The council is giving consideration to that application in this town plan review.

Also, the council has undertaken a community needs assessment, which has looked at matters such as transport infrastructure in the city, the developments of State Government regional centres and the various needs of the people. An important undertaking by the council recently has been the appointment of a community development officer. Miss Jane Archbold, who has taken over that position, has done an outstanding job already. Also, recently, the council appointed an Aboriginal liaison officer to assist in liaison with the growing Aboriginal community in Toowoomba. So there has been a commitment by the Toowoomba City Council not only to the capital infrastructure but also to the character of the city and to the needs of the people. I know that the mayor also has a very personal interest in developing within the city a centre for youth, possibly on State Government land located near the railway line. I referred to the community needs assessment. One interesting point to come out of that community needs assessment is an estimation that by the year 2006, about 60 per cent of the dwellings in Toowoomba could be housing sole persons, such as aged people, couples without offspring and single parents. So it is obvious that careful planning is going to have to be put into the type of housing and the accommodation style that is required in this major regional city.

The Toowoomba City Council has been working closely with the regional offices of the State Government. Toowoomba has become very much an area of State Government regional centres, such as Health, Education, Environment and Heritage, Transport, and so forth. I am pleased to note that, in the moves to develop a new community health centre in Toowoomba, the Minister for Health has agreed to meet with the mayor to discuss the community needs of the siting of that centre and also some other plans that the council has in mind.

Indeed, it has been an exciting time in Toowoomba. Last weekend, Myer announced that it was going to proceed with a $100m redevelopment of its shopping complex in Margaret Street. This redevelopment will create 600 jobs during the construction phase and, ultimately, 400 jobs within the shopping complex. The Myer complex in Toowoomba is regarded as one of the most profitable Myer stores in Australia. Accompanying this project

will be a $22m inner-city redevelopment by the Toowoomba City Council. It has been interesting to look at the phases of development of Toowoomba in recent years. Over the past decade or so, Toowoomba has achieved great things in infrastructure—in roads, in an adequate water supply and in an adequate sewerage system. When one considers that Toowoomba sits on top of a range and the sewerage is pumped into a tiny creek that eventually becomes part of the major Murray/Darling system, along with water, sewerage is one of the very difficult problems that Toowoomba has to deal with.

Following this phase of infrastructure development, which has not only developed roads, drains and a water supply but also has equipped the council well with machinery and has seen an enormous development of parkland with thousands of trees planted, we have really moved from that stage to a stage at which the council is moving to put within the city, particularly within the CBD area, those community facilities that a great city such as Toowoomba should have. In other words, they are introducing into Toowoomba the sort of pizzazz, ambience and inner-city feeling that Brisbane experienced some 10 or so years ago when it developed facilities such as South Bank, the inner-city mall and the developments that occurred along the Brisbane River. Among these proposed developments in Toowoomba—some of which have commenced under that $22m allocation—will be a community centre, which is something Toowoomba has not had for many years. It has had many small halls, church halls and community halls, but it has not had a major community centre that can draw big crowds and allow major expositions and displays to be staged in the city. That community centre is planned for the council square, which is bounded by four of the main inner-city roads.

Also, the council is looking at redeveloping the famous Empire Theatre. It is now owned by TAFE. If negotiations are successful, it will be able to redevelop that theatre. Once, it catered for thousands of people at a time. I believe that something like 2 000 people could be seated in that magnificent complex. That theatre will be redeveloped and, hopefully, in conjunction with the University of Southern Queensland, Toowoomba will become one of the education centres in Australia, if not the centre, for the development of acting and live theatre production.

Redevelopment of the art gallery in Toowoomba in the old SWQEB building is under way. That art gallery will probably become one of the most significant regional galleries in Australia. It will contain the city collection, the Gould collection and the Lionel Lindsay collection.

At the same time, the Toowoomba City Council is considering a very ambitious project to develop an aquatic centre. Toowoomba, renowned for its cool, crisp and fresh weather, is not always the place for swimmers. However, there is great interest in swimming, not only for young people but also for senior swimming clubs, and the council plans to develop an indoor heated pool complex on the site of the present Olympic pool. At the same time, these projects are going to be linked by precincts. There will be the need for the acquisition of a small amount of land in the inner-city area, but all of those projects will be linked by treed, landscaped precincts. They will link up not only with the facilities but also with significant areas of parking.

It is important to consider some aspects of local government. This Bill focuses to some extent on the need for a corporate and strategic plan. Many local governments have now been going for approximately 130 or 140 years. They have completed much of the major capital works, and it is time to produce quality of life for their citizens as well as first-class infrastructure and facilities. I have mentioned the special need for water in Toowoomba. During 1992-93, a campaign by the Toowoomba City Council actually saw water usage in the city drop from 13.6 gigalitres to 12.9 gigalitres, which represented a saving for the council of $130,000. That was for the council the driest year on record.

There are some matters that will probably be dealt with during the Committee stage, but at this stage of my speech, I want to mention one or two of them. With council elections coming up next year, because this Bill has over 800 clauses, I think that there is certainly going to be a need for a summary of the Act, perhaps produced with the assistance of the Local Government Training Council. In fact, many smaller councils will probably need some assistance and training through that council to enable them to make proper use of the full potential of this legislation. Some of the good points within this legislation are the introduction of the mobile polling booth, which I know will be appreciated in Toowoomba, especially at the three major hospitals. There is some concern about what will be required exactly by councils in regard to equal opportunity—whether it will be a definite percentage system, or whether it will simply be

the need for a policy regarding the recruitment process to be put in place.

This Bill also deals with the right of entry to premises. I know that the Toowoomba City Council is interested particularly in the forthcoming animal protection legislation, because it feels that, particularly where there are problems with dogs, the expertise generally lies with the dog catcher, or with the dog catchers seconded from the Royal Society for the Prevention of Cruelty to Animals, rather than with the police. It is often a grey area in which neither party is sure of their rights, who should enter and how.

In conclusion, I make the comment that rates are probably the biggest cost impost that families have to face. I think that most members of this Parliament would agree that when the rate notices are circulated, that is the time when we receive most complaints from our constituents, even though rates are a local government matter. Despite advertising campaigns and the placement of valuations in public places, problems seem to arise because people—especially those who may be disadvantaged by increases in valuations—do not really know what will happen. It is probably not possible to notify all people of changes to valuations through the mail. However, I think there must be a better way of publicising the valuations. The Government should look into that so that all people are aware of the cost increases in relation to their rates.

As I said earlier, this Bill generally has the support of councils and council staff. I join with other members of the National Party/Liberal Party Coalition in supporting the Bill and I hope that, ultimately, it will be of benefit to Queensland local governments and the communities that they serve.

Mr SPRINGBORG (Warwick) (11.01 p.m.): Tonight I rise to participate in the debate on the Local Government Bill——

Mr Campbell: And to speak to the Bill.

Mr SPRINGBORG: I rise also to speak to the Bill. I will make a few comments at the outset. First of all, I wish to refer to the last paragraph of the first page of the Minister's second-reading speech.

Mr Mackenroth: Just a moment—the first paragraph on the last page?

Mr SPRINGBORG: It is the last paragraph on the first page. I apologise to the Minister. I concur with the sentiments expressed by the Minister, who stated—

> "The present Local Government Act was introduced in 1936, when the principal focus of local government was on providing basic community infrastructure and property-related services. Whilst these functions are still crucial, there is a growing expectation that councils should play a greater role in the social, economic and environmental wellbeing of their communities. There is a desire for councils to build better communities in all senses—not just the physical."

I must say that I concur with those sentiments.

Mr Mackenroth: What about the mega cities?

Mr SPRINGBORG: I will come to mega cities in a moment. The Minister should stick around because I have 19 minutes left. Some people might lament that this Bill will impose extra burdens or responsibilities upon local authorities, or local governments as they will be known when the Bill is passed. I believe it is important to call them local governments because the term gives recognition to the role that local councils play in society and in local communities.

I mention briefly that in my electorate, the local councils assist football clubs and provide grants and low-interest loans that can be repaid over a number of years. Recently, the Stanthorpe Shire Council debated whether that council should get involved in making a substantial contribution to a raceway project by providing a low-interest loan over many years. As the Minister may be aware, the Stanthorpe Shire Council will be visiting him on 10 December to discuss the issue of pensioner units. The council has a substantial sum to put towards the construction of pensioner units and will be calling on the Minister to provide additional funding. The council has thought about this issue long and hard. It has balanced the greater cost of repairing the existing units against the cost of constructing new units, which would probably be cheaper.

The role of local governments is changing, and I believe it is appropriate for local governments to take on a variety of issues because, as other speakers have already said, local government is the closest level of government to the people. That is not just a corny catchcry; it is a relevant issue and something to which all honourable members could relate, based on their experiences of driving around council areas in their electorates and meeting council representatives.

As all other speakers in this debate have paid tribute to local authorities, I also pay tribute to those that are situated in my electorate, namely, Warwick, Rosenthal, Allora, Glengallan, Stanthorpe and Inglewood. The various aldermen, councillors and staff of those local authorities have assisted me over the past four years as the member for Carnarvon and as the member for Warwick over the last year. By and large, my relationship with all of the people concerned has been quite good, even though we may have had some minor disagreements over fundamental issues, such as the amalgamation of local authorities. I welcome the recent announcement made by the Stanthorpe Shire Council that it will hold public meetings right throughout the area to put together a new town plan. Some councils in this State that do not have a town plan are working on it, and it must be said that the councils that have not been guided by a town plan are experiencing some planning problems. I wish the Stanthorpe Shire Council the best of luck in putting together its new strategic plan.

I turn now to comment on the implementation of two programs in two towns in my electorate, namely, Wallangarra and Killarney. I have no doubt that the Minister would be very familiar with the problem of the common effluent drainage system. For the benefit of the uninitiated members of this Parliament, I point out that the system is put in place in areas that do not quite have sufficient resources to be able to construct a fully-fledged sewerage system. Instead, all houses have a septic system that is connected to a common drain. In this Parliament, one frequently hears members talking about wanting to progress and plans that should be made for the future. It is interesting to talk to people who live at Wallangarra because although a CED is greatly needed in that area, probably 90 per cent of the people would be against it.

Earlier, the honourable member for Gregory mentioned night carts. Up until a year or so ago, 40 per cent of Wallangarra's households still relied on night soil facilities. Even though there were health problems caused by septic tanks and effluent seeping into backyards and onto the streets, particularly in the wet weather, there was still a reluctance on the part of those people to take on board a new scheme because of the cost. I have made approaches to the State Government for assistance, and the Minister for Primary Industries said that the new system should be put in with a general sewerage fund in Stanthorpe. I am concerned about the ability of people at the lower end of the socio-economic scale to pay. By and large, the Stanthorpe Shire Council has managed to keep the cost down to approximately $200 annually. I believe that the provision of a CED would improve basic infrastructure and service in that town.

As I have done on previous occasions, I pay tribute to the Minister for advancing to the Glengallan Shire Council $700,000 towards the construction of a CED scheme. By and large, I think that that new system will provide great planning opportunities and opportunities for future expansion for the town. There can be no doubt about that. The other night, I attended a function and spoke to a resident of Killarney who said that he would vote against amalgamation in the forthcoming council poll, which has since proved to be a little bit obsolete after the release last Friday of the Local Government Commissioner's recommendations. The person I spoke to said that the council would have to be voted out because it had given the town a CED scheme that people did not want. Sometimes, people are a little bit slow in moving with the times. Nevertheless, I can understand their concerns. However, when one considers that vacant blocks in the town are taken up by absorption trenches, one can see the sense in adopting a new system.

I turn now to the issue of local government amalgamations to which I referred briefly in this House as recently as a couple of weeks ago. I know that some Government members are also concerned about this issue. I wish to quote from an article that appeared in today's *Courier-Mail* . I have heard this article quoted once already during this debate. The headline states, "Cooloola's first council elected. Poll to stop confusion." The article goes on to quote the new mayor, Councillor Adrian McClintock.

Mr Mackenroth: The "Chairman"— since 26 March.

Mr SPRINGBORG: Okay, the Chairman, Adrian McClintock. He advised other councils who are resisting amalgamation to accept that the Government is committed to reform. The article states—

> " 'We thought we would make the best of it by taking control of the process', he said.
>
> 'I think there is very little to gain from opposing it because it tears the community apart and, in the end, there will still be a boundary change.' "

I think there is very little doubt about that because of what I have seen in relation to Rosenthal, Allora, Glengallan and Warwick. Since early 1990, members of some of those councils have fought vigorously against proposals for amalgamation. By and large, since that time about a half a dozen people have approached me and have said that they are in favour of amalgamation whereas hundreds, if not thousands, of people have come to me and said that they are against it. There is no doubt, as the sentiments expressed by Chairman McClintock make clear, that this Government is committed to the reform process, so much so that the whole set of processes undertaken by EARC, the Parliamentary Committee for Electoral and Administrative Review and the Local Government Commissioner have been a great big waste of time and a great big waste of public money.

People can forget about the fact that the Government says that it very much wants to consult people, put in place cooperative arrangements, and sit down to get the best result. At the end of the day, if the Minister believes in amalgamations, it might have been just as good to have gone straight in and amalgamate the shires in the first place. When one considers all of the remonstrations, all of the approaches, all of the delegations, all of the time, effort and money contributed by the people concerned, it is obvious that it has all been done for a wasted cause. Some local authorities spent hundreds of thousands of dollars in presenting cases against amalgamation.

Mr Bennett interjected.

Mr SPRINGBORG: In addition to that, it has virtually been a requirement of the whole process to engage consultants who do not come cheaply. Councillors do not get very much from a consultant for less than $30,000 or $40,000, and that is where a lot of the money has gone. Many people are asking why that was necessary, because in many cases the consultants got it wrong.

A year or so ago, I said in this place that it is a pity that the Local Government Commissioner was not in place in early 1990. The then Minister, Tom Burns, stated that the Government was committed to a process of consultation and to working cooperatively with local authorities. One could hardly expect everything to be mediated overnight. After three years, some bitterness and some problems were still evident. However, when the Local Government Commissioner began this process, I think that he basically ignored the charter that was laid down. He said to the people involved, "Forget what the Minister, Tom Burns, has said. We are going to forge the whole process for this area. Forget the cooperative arrangements." Those cooperative arrangements were not considered at any stage of the amalgamation proposal for Warwick, Glengallan, Allora and Rosenthal.

The options were taken away one by one until, at the end of the process, the only option remaining was option five, which proposed slight boundary changes and the formalised cooperative arrangements being put in place. Obviously, that option did not meet with the approval of the Local Government Commissioner. As a result, expanded option four was formulated, which included Allora in the proposed amalgamation. When the reviewable options statement was formulated, that option was not considered. However, as options two and three were slowly knocked off—which proposed the amalgamation of some of the local authorities—it was proved that the proposed amalgamation disadvantaged the rural areas. As a result—whether it was for political expediency or for the purpose of fulfilling some philosophical agenda—the total amalgamation option was advanced.

Consequently, there was huge public outcry. A meeting that was held a couple of months ago in Allora was attended by half of the ratepayers of that shire. Eight hundred people turned up to demonstrate against the proposed amalgamation. An unofficial poll was conducted, to which almost every person in the shire responded. The results of that poll indicated that in excess of 95 per cent of people were opposed to amalgamation, but public opinion was still ignored.

Mr Bennett: Were the for and against cases both put?

Mr SPRINGBORG: The people were aware of the for and against cases, because they were outlined in the newspaper and at the public meeting. The people had the opportunity to answer "yes" or "no" to amalgamation, and they were overwhelmingly opposed to it. The same applied in Rosenthal and Glengallan. I dare say that, if a similar poll were conducted in Warwick, similar results would be obtained. The issue would probably not be as cut and dried, but the people would certainly be opposed to amalgamation.

We have now reached the stage at which the Local Government Commissioner has released his final recommendation. Basically, he has said, "We are not going to take any

notice of the people; we want to see the amalgamation proceed." The commissioner has reviewed some of the figures from the consultants' report that he included in his preliminary report and which were wrong. The consultants outlined in a document that was over an inch thick the areas in which their figures were inaccurate. They have rectified some of those inaccuracies, but problems still exist.

The Local Government Commissioner has changed the internal boundaries of the proposed Warwick shire. I ask the Minister: what authority does the Local Government Commissioner have to change the internal boundaries? I know that he has some authority to change non-reviewable matters, but how wide is that authority? In one of the divisions, the commissioner has reduced from six to four the proposed number of councillors. I wonder whether that is within the authority provided to the Local Government Commissioner under his own Act and under the Local Government Act.

Some of the other problems evident in the final recommendation from the Local Government Commissioner include an undercalculation of the savings on the allowances and payments made to councillors. Even though there will be fewer councillors than are elected at present, because it is a larger local authority, more meetings will be held and, in some cases, there will be many more demands on those councillors. There seems to be an undercalculation of those savings, which are advanced as one of the main bases of the recommendation. Some of the plant savings are dubious. The performance targets are constantly being changed to achieve the desired result.

The savings that would be made by a rationalisation of the workshops do not add up. As a result, a 25 per cent contingency has been added to the calculations. In the original preliminary report, it was stated that $35,000 would be saved from the Allora administration building. However, it was not taken into account that the library and the senior citizens were based in that building. As a result, an added cost is involved in expanding the library facilities so that people can at least access a fundamental level of service in Allora that would otherwise be provided in the hub of the Warwick shire, Warwick City.

I pose another question to the Minister: what binds the new council to stick by the commitments that are laid down by the Local Government Commissioner regarding recommendations on plant, jobs and similar items? Nobody can say to a new council, "Look, you men and women have to abide by the pledges that have been made." Further down the track, I believe we will find that the commitment to keep the suboffice in Allora will go out the window.

Another step should have been taken in this process. After he made the preliminary recommendation, the Local Government Commissioner should have sat down at a round table conference to discuss the options so that the problems could be identified. That did not occur. Some of the matters that I have pointed out will come back to haunt the Government and the Local Government Commissioner. Although I am not against change, I am certainly against change in such a forced and irrational way.

This process has taken three years. It has caused great bitterness and great hardship in those areas. People have come into my office on the verge of tears. One could say that those people are overemotional, but the fact is that people feel very strongly about their local authorities. Many members cannot relate to that concept.

I want to refer to a couple of matters that were raised earlier in this debate. One was raised by the member for Sunnybank, Mr Robertson, who referred to the old idea, "If it is not broken, do not fix it." The member for Sunnybank stated that the Local Government Commissioner rebutted that concept in his annual report. That reminds me of an experience that I had recently in New Zealand. I sat on a plane next to a former member of the New Zealand Parliament. As all members are aware, New Zealand politicians tend to be dry economic rationalists. They believe in the philosophy that I am about to outline. I said, "Look, why play around with the dairy board in New Zealand? If it is not broken, do not fix it." That fellow said, "If you do not try to fix it, you do not know whether it is broken." That is the philosophical problem that we face here. The Government believes that it can forge ahead. It intends to amalgamate some local authorities and change local authority boundaries. At the end, the Government claims that it will come up with some wonderful new scheme and better planning, and it will all lead to better local government. I do not believe that that will be the case.

Earlier in this debate, one member stated that similar controversy does not apply to the alteration of State electoral boundaries and Federal electoral boundaries as applies to the alteration of local electoral boundaries. I do

not doubt that. As I stated earlier, it is a totally different issue. People interact differently with local government members compared with State and Federal members. Many people are unaware of the State and Federal tiers of government, but they certainly are aware of the shire council in the middle of their little area. People will fight fervently for those councils. They are very grateful for the services that they provide, even though sometimes they may wish that they could change.

Another thing that I would like to talk about is the issue of local authorities being the so-called breeding ground for National Party politicians. I do not believe that that is the case at all. I know in my electorate that active Labor Party members, National Party members, Liberals and even Democrats are members of local authorities. I relate to them very well and I never have a political problem. One should go about those things constructively. Over the past couple of years in this Parliament, I have seen appalling instances of Government members setting about a deliberate process of destabilisation and disruption over a so-called tory or conservative local authority.

I have tried to work collectively and closely with my local authorities. I cite the example of Stanthorpe, where there is a very good councillor, Councillor Michael Bathersby. He stood for the Labor Party against me. He is an outstanding councillor. We get on quite well. I would say that we are reasonably good friends. My job as a State member of Parliament does not overlap with his job, and I do not interfere with or go about lambasting him, nor does he with me. That is the way in which the system should operate. It is one of the saddest things that has happened in this House.

Time expired.

Mr CONNOR (Nerang) (11.21 p.m.): I rise to speak to the Bill but, more particularly, about the local government in my electorate, the Albert Shire Council. That council is responsible for the hinterland of the Gold Coast. The chairman is Bill Laver. I pay tribute to Bill and the councillors of the Albert Shire Council. Bill Laver has been vacillating on whether he will retire from the Albert Shire Council. As I understand it, he will retire. However, I will make one last-ditch effort to try to talk him out of it. I also pay tribute to Ray Stevens and Merna Franklin, who are local divisional councillors within my electorate. Honourable members might remember that Merna Franklin is the widow of John Franklin, who was tragically killed in an accident while he was chopping some timber. John was a highly regarded member of the community and was the type of person who would jump in and get things done personally. If trees fell down in a cyclone, he would cut them out of the way himself. He was that sort of a fellow.

To get back to Bill Laver, I will do my best to talk him out of retiring. He is very much the patriarch of the area and very much the establishment of Mudgeeraba. He was born and raised there. As I understand it, he is the third generation of the Lavers in the area. It will be a very sorry day when he leaves the Albert Shire. I mention also that the Albert Shire councillors are not paid a salary. As a result, most of them do their jobs from a community point of view and they all work very hard.

Mr Bennett: What about meeting fees?

Mr CONNOR: They do receive meeting fees, but they do not receive a regular salary. Most of them are involved in other activities in which they would earn much, much more.

Turning to another issue that relates to the Albert Shire, I quote from the Electoral and Administrative Review Commission's report on local authority external boundaries dated November 1991. It is a very important issue. The Albert Shire covers the whole of the hinterland of the Gold Coast. From a State electoral boundaries point of view, the shire covers the electorates of Bob Quinn, the member for Merrimac; mine as the member for Nerang; and John Szczerbanik, the member for Albert. In November 1991, those boundaries were reviewed in great detail by EARC. On page 119 of the report, clause 6.84 states—

> "The Commission finally notes that the whole area south of Logan City may need to be reconsidered by an on-going boundaries review mechanism but perhaps not until the conclusion of the South-east Queensland 2001 process. This process may stimulate mechanisms for more effective co-operation in the area and any boundary review should await this outcome. Albert Shire, for example, has raised the possibility that population trends in the area may justify the creation of a new LA south of Logan City in the foreseeable future."

That report came down as part of RPAG, but the Minister has not made any public statements about his views on the external boundaries of the Albert Shire Council. I ask the Minister to tell honourable members in his reply what his personal view is on the external

boundaries of the Albert Shire. I would like to know whether we should consider a new local council at the northern end of the Albert Shire——

Mr Mackenroth: If I was going to make those sorts of decisions, we wouldn't have a Local Government Commissioner to do it, would we? I am not going to do it myself.

Mr CONNOR: I wanted the Minister's preferred position.

Mr Mackenroth: I don't have a preferred position. That's why we have a Local Government Commissioner. If you want me to go and make decisions, we'll get rid of the commissioner, I'll go and do it and solve the whole problem.

Mr CONNOR: Could the Minister give me some idea of a time frame?

Mr Mackenroth: I am just giving you my idea—we will have an independent commissioner who will go and have a look at it and make recommendations to Government, and we will make our informed decision based on his report.

Mr CONNOR: Does the Minister have some time frame within which that report is likely to come down?

Mr Mackenroth: I wouldn't ever try and tell an independent commissioner how to operate.

Mr CONNOR: I was not suggesting that.

Mr Mackenroth: I don't have a time frame. They have a time frame.

Mr CONNOR: Is the Minister aware of that time frame?

Mr Mackenroth: Yes, he's got the recommendation and he will consider it in due course.

Mr CONNOR: Would it be before or after the next council election?

Mr Mackenroth: That's his decision. I'm prepared to say he's got 20 years if that's what it takes.

Mr CONNOR: As the Minister can appreciate, in the hinterland of the Gold Coast and in the Albert Shire, it is a very important issue, as is the possibility of a forced amalgamation with the Gold Coast City Council. The Minister might like to state his preferred position on that possibility, too, but I doubt that he would.

I turn to another issue that relates to the changes to the internal boundaries and the divisional system within the Albert Shire. Currently, the shire has 10 divisions with individual councillors in each division and a chairman. As I understand it, we are moving to five divisions, in which effectively we will have the amalgamation, with a few changes in the boundaries, of the 10 into 5. There will be two councillors per division and it will be first past the post voting. Again, I have my doubts on whether that is a more efficient way of running the Albert Shire, because I wonder where the buck stops. If there are two councillors, one obviously will always work harder than the other, and we have the possibility that one of the councillors will not have that accountability. However, that is the decision that was brought down. I am stuck with it and I will work with it.

The thing that very much worries me is the prospect of running endorsed Labor candidates for the Albert Shire Council. As I understand it, four candidates will be endorsed by the Labor Party to run in those divisions. I put on record my total rejection of that system. Bringing party political politics into the Albert Shire is not the right decision. It is going the wrong way. If any of those Labor candidates are successful, that will force either the Liberal Party or the National Party to run endorsed candidates. As I understand, the Liberal Party and the National Party will not be running endorsed candidates in the Albert Shire. That is not to say that there are not members of the Liberal, National or Labor Party on the council. The point is that they are not dependent upon that membership for their position. The Liberal, National or Labor Party councillors are not endorsed, so they owe their allegiance only to their constituency; they do not owe it to some faceless backroom men.

As far as I am concerned, if we move in that direction, we will not get the sort of representation that the hinterland of the Gold Coast deserves. What we will end up seeing is opposition for opposition's sake. We will have partisan political decisions, we will have grandstanding and we will have, by necessity, an adversarial approach. We will have only half the best people at any one time in positions of control. As all honourable members know, not all the best people in the Parliament are on the one side.

Splitting up a small council which has only 10 members is not the right direction to take. Honourable members only have to look at what has happened in the Ipswich City Council over the last six to 12 months to realise what happens when politics start to get too great a hold on local government.

I would like to quote from a few articles in the *Courier-Mail* on the Ipswich Council over

the last few months. An article on 30 June states—

> "In May the Labor caucus which controls the Ipswich City Council"—

the Labor caucus controls it, not the constituents, not the councillors—

> "expelled Ald Underwood over confrontation with unions."

So what it comes down to is that the unions, through the caucus, are effectively running the Council. It further states—

> "Mr Kaiser said Ald Underwood had put at risk a career in the Labor Party during which he had served in State Parliament and as the Mayor of Ipswich. "

What it comes down to is that, if councillors want to try to look after the best interests of their ratepayers, they basically have to put their whole career at risk. That is what I am saying. There should be no party politics in council.

A further article in the *Courier-Mail* on 1 July this year states—

> "The Australian Labor Party was poised to suspend or recommend expulsion of the maverick Ipswich mayor Dave Underwood last night.
>
> A party disputes tribunal meeting continued late last night hearing charges of disloyalty against Ald Underwood."

It goes on—

> "Last month Ald Underwood was expelled by the Labor caucus which controls the Council over confrontation with unions.
>
> . . .
>
> However, it is understood the tribunal was considering suspending Ald Underwood's party membership and possibly recommending to its state council that he is expelled.
>
> The disloyalty charge related to claims that Ald Underwood voted against a caucus decision in the Ipswich City Council meeting. Then we find that Alderman Underwood was suspended for his disloyalty."

Madam DEPUTY SPEAKER (Ms Power): Order! I do not believe there is any clause that makes this relevant to the discussions about whether members have to be members of political parties or where that leads. If the honourable member can show me otherwise, he should do so. If he does not, I will ask him to move on to something else or resume his seat.

Mr FitzGerald interjected.

Madam DEPUTY SPEAKER: Order! If the member for Lockyer wants to make a speech, he can put his name on the speakers list.

Mr CONNOR: With respect to the Chair, I would like to take the member for Lockyer's interjection. Obviously, references are made in this legislation to political parties. On that basis, I would like to continue to speak about party politics.

Madam DEPUTY SPEAKER: Order! I will not allow the member to continue in that vein. I think the member is drawing a very long bow. I mention also that this aspect has been covered before and the member will be boring and repetitious. If he continues in that vein, I will ask him to resume his seat.

Mr CONNOR: As I was saying before, if we start endorsing candidates, what we will have is a council that is not representative of its local constituency. The other aspect that I would like to look at is service delivery and value for money. When the ratepayers of the Albert Shire gauge the effectiveness of their councillors, I believe that will be the main criteria, that is, service delivery and value for money. That is exactly what members of the Ipswich City Council were doing when Alderman Underwood tried to deal with the unions. There were union troubles at Ipswich City Council. As a result, the duly elected chairman, mayor, or whatever you like to call him, was trying to deal with that. He was trying to allow the ratepayers of the Ipswich City Council to get good value for money. That was what it was all about, but he was not able to because he was overridden by the caucus. That was the reason for it.

I am saying that if the ratepayers of the Albert Shire want to get good value for money, they are far better off voting for Independent candidates, who will represent them above all else, who do not have any political endorsement and who will do the job according to who voted them in, and in accordance only with that.

Mr Barton interjected.

Madam DEPUTY SPEAKER: Order! The member for Waterford!

Mr CONNOR: It will also mean that the ratepayers of the Albert Shire will get that value for money; they will get the lower rates.

I would also like to pay tribute to the Albert Shire Council for keeping the rates as low as they have through these difficult years. As a result of the lack of partisan political representation in the Albert Shire, the rates are far lower in that shire than they are in most

other shires. The service delivery and the quality of the service that the ratepayers of the Albert Shire are receiving can only be commended.

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (11.39 p.m.), in reply: I thank all members for their support for the legislation. I would particularly like to thank the Opposition for the support it has given tonight. A number of points were raised which I understand will be discussed at the Committee stage. As I am so looking forward to moving into Committee, I do not intend to speak any further on that.

Some other points were raised by members that may require me to write to them and answer them in detail, and I will do that. I thank all members for their support for the legislation.

Motion agreed to.

Committee

Hon. T. M. Mackenroth (Chatsworth—Minister for Housing, Local Government and Planning) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Mr MACKENROTH (11.42 p.m.): I move the following amendment—

"At page 47, after line 2—

insert—

'• Part 3 (Amendments)

• section 804 (so far as it relates to amendment of the *Local Government Act 1936*)

• Schedule (Amendments of Acts)

• amendment of the *Local Government Act 1936*'."

Members will be aware of the callous action taken by some banks in closing their branches in small rural townships. At least 11 local governments throughout Queensland have already been affected by this bank walkout. A number of councils have said that they wish to try to maintain the provision of local banking services by having either a credit union or a building society commence operations in their township. In order to provide a positive incentive for this to occur, some councils have also indicated that they are prepared to switch all their banking requirements to a newly established credit union or building society.

There are basically two components to banking which involve the council. They are, firstly, the normal day-to-day financial transactions and, secondly, the investment of temporarily surplus moneys. It is considered that there are no reasons of financial security or risk why a local government should not use a credit union or building society in either of these two ways.

As honourable members will be aware, the Queensland Government has played a leading role in the development and implementation of the new national uniform financial institutions scheme, which provides for the prudential supervision of building societies and credit unions under the auspices of the Australian Financial Institutions Commission. Under these new arrangements, building societies and credit unions are subject to prudential standards at least equal to and, in some instances, higher than those applied by the Reserve Bank to banks. As a result, there is a higher degree of security and protection than ever before for depositors with these financial institutions. On that basis, action is currently being taken by the Treasurer under the Statutory Bodies (Financial Arrangements) Act 1982 to make a regulation that will permit councils, if they so wish, to invest temporarily surplus funds with a credit union or a building society.

However, because of the legal interpretation placed on the term "bank", as it is used in the Local Government Act 1936, it is not possible for a council to presently use a building society or a credit union for its normal day-to-day financial transactions. To overcome this difficulty, I propose to move three sets of appropriate amendments to the Bill which will define the term "bank" in the Local Government Act 1936 to mean a bank, financial institution or foreign society by virtue of the Acts Interpretation Act 1954. The reference to "financial institution" will capture the use of credit unions and building societies. This amendment will take effect from the date of royal assent and will enable those councils that so wish to use a building society or credit union in their township for the day-to-day transaction of their financial affairs.

This is an interim measure as, once the financial provisions of the Bill commence on 26 March 1994, it will be possible under the proposed local government finance standards for a council to use a building society or a credit union for its normal daily financial transactions. The first amendment is to clause 2 of the Bill at page 47, after line 2. The intent is that the amendments to the Local

Government Act 1936 will commence when this Bill receives royal assent.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 and 4, as read, agreed to.

Clause 5—

Mr MACKENROTH (11.45 p.m.): I move the following amendment—

"At page 60, line 20—

omit 'lease', *insert* 'lessee'."

There are, I think, about six amendments that I will be moving to the clauses which simply amend some typographical errors. Honourable members can see what they are by looking at them. For instance, in clause 5 the amendment omits the word "lease" and inserts the word "lessee". As honourable members will appreciate, with a Bill of some 460 pages—and it was prepared in a very short time—there have been some very minor errors. It is mainly a typographical error.

Amendment agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 48, as read, agreed to.

Clause 49—

Mr MACKENROTH (11.46 p.m.): I move the following amendment—

"At page 78, line 13—

omit 'legal', *insert* 'local'."

Amendment agreed to.

Clause 49, as amended, agreed to.

Clauses 50 to 170, as read, agreed to.

Clause 171—

Mrs McCAULEY (11.47 p.m.)**:** I hesitate to use up the time of the Committee at this time of night, but, with legislation as comprehensive as this, I think it is important that I speak on some of the clauses. When honourable members consider that I will speak only on 20 clauses out a total of 804, they will agree that I am not doing too badly. This Bill requires that close scrutiny. This clause, which calls for the disqualification and vacation of office for certain offences, is a new provision. It applies to councillors—to elected officials—who contravene laws such as those excluding them from a meeting if they have pecuniary interests, if they fail to fill out their register of interests properly, if they fill out false, misleading or incomplete electoral documents, and so on. They can be disqualified from becoming a local government councillor for three years if they are convicted of such an offence, although it is not a criminal offence. I believe that this is a good provision. For a long time, when certain things have happened with councillors, they have regarded themselves as having a certain immunity from any penalties at all. This provision is long overdue, and I welcome it. Some of the clauses that I will speak to tonight are not necessarily ones that I disagree with, but they are ones on which I feel I should comment. This provision is a good idea and I am certainly in agreement with it. This is one clause that I applaud.

Clause 171, as read, agreed to.

Clauses 172 to 177, as read, agreed to.

Clause 178—

Mrs McCAULEY (11.48 p.m.): The particular subclause that I wish to discuss here is the one that states—

> "A councillor cannot direct, and must not attempt to direct, an employee of the local government about the way in which the employee's duties are to be performed."

I think it is probably more relevant in small local authorities, but it often happens that councillors take it upon themselves to give instructions to, for example, the grader driver in the backblocks or any member of the local authority. They seem to regard that as their right and as a proper course of action. I, for one, have never felt that way. I believe that is the wrong way to go. I am pleased to see that it is here in black and white, because it is not fair to the employee and it is not fair to the chief executive officer who has the responsibility for directing those employees. So I am pleased to see that councillors have it clearly spelt out that they cannot dabble in this way as they have done previously. I do see problems arising in large shires such as the Banana Shire, where councillors might be in a certain area at the back of Taroom and the grader driver might be out there also. I can see problems arising there where they may want to pull up and tell the grader driver that he should be doing this, that or the other thing. I welcome this provision, and I think that it is a good move.

Mr MACKENROTH: I thank the member for Callide for her support. One point that has been raised with me tonight in relation to clause 178 is the instance in councils where there are chairpersons of particular committees. It was asked of me whether this would limit a chairperson's ability to deal with people. For example, if a person was the chairperson of a health committee, would it limit that person's ability to deal with people in relation to that?

Clause 178 needs to be read in conjunction with clause 386, which gives the council, the local government itself, the ability to delegate authority. It will be possible for the local government to delegate authority to a chairperson of a committee to carry out the functions of the council.

Clause 178, as read, agreed to.

Clause 179—

Mrs McCAULEY (11.52 p.m.): I have pondered over this particular clause to see whether I could think of any amendments that would change the way in which some councils isolate their mayor. That has happened in the Ipswich City Council. To a certain degree, it has happened in the Cairns City Council, where the mayor is of a different political persuasion from the majority of the council members. However, it was mainly the Ipswich City Council that I was thinking of, where the people elected a person to be the mayor but he is no longer able, because of the actions of the council, to carry out the functions of mayor. This particular clause says that the mayor of a local government—

> "ensures the appropriate representation of the local government at civic or ceremonial functions."

I do not know whether Mr Underwood is still able to do that. I believe that he is not; I believe that the deputy mayor has taken over those functions. This clause also says that the mayor—

> "ensures the carrying out of the local government's decisions."

That certainly has not happened. I do not know whether there is a way in which this can be changed so that that situation does not arise. People elect a mayor to do the things that they expect a mayor to do. In this particular case, the mayor is unable to do that because of the actions of his council. I would like the Minister to comment on that. I could not think of a way around it, but I would like the Minister's comments on it.

Mr MACKENROTH: This is really the first attempt that has ever been made to spell out the role of the mayor in this way. If there are ways in which the shadow Minister could lead us to make it better, I would be pleased to hear them. In the consultation that we had with the Local Government Association and councils, nobody came up with a better definition than the one that we have here. We have attempted to set out the role of the mayor and the relative responsibilities that that person has. We will need to see how this operates in terms of the actual political realities that are out there, where councils may be opposed to their mayor. We will need to see, after the next council elections when these provisions are actually in operation, how they operate and whether there are areas that will need to be amended. We will look at those closely. It is an attempt to set out those roles. As I said, it is the first time that that has been attempted.

Mrs McCAULEY: Does this mean that, if the Ipswich City Council situation were to occur once this Bill becomes law, the Minister will then act, because the mayor is unable to carry out the role as defined in this legislation, and that the Minister would take steps to change that?

Mr MACKENROTH: The situation that prevails at Ipswich at present is completely legal. All of the actions that have been taken have been taken in compliance with the Local Government Act. With this new Act in operation, the council would not be able to do some of the things that it has done. If it had done that, of course, we would have to take action because it would have acted outside the law. We would have to wait and see what in fact happened in any particular council throughout Queensland—in the 133 councils or however many there are after the next council election.

Clause 179, as read, agreed to.

Clauses 180 to 185, as read, agreed to.

Clause 186—

Mr MACKENROTH (11.56 p.m.): I move the following amendment—

> "At page 129, line 23 (before 'superannuation')—
>
> *insert* 'voluntary'."

This amendment is made at the request of the Local Government Association, which asked a question about superannuation benefits for councillors, and whether in fact, because of the Federal Government's superannuation laws, councillors would have to join a scheme if they did not wish to because it certainly would affect some people who operated in private enterprise. We had a look at the way the actual clause was spelt out. It was our belief that councillors were not required to join the scheme, but to make that very clear we have decided to add the word "voluntary". It is voluntary; councillors will not have to join the scheme unless they so wish. That has been done at the request of the Local Government Association.

Mrs McCAULEY: Does that mean that that problem that would be alleviated with

salary sacrificing arrangements does not have to be made if it is a voluntary system? If it is a voluntary superannuation scheme, they do not have to join it, therefore they will not be penalised if they are in business and have their own private superannuation package?

Mr MACKENROTH: It is only a portion of the response to the problem that they have. In relation to salary sacrifice, we have given a commitment to the Local Government Association that we will look at that further. This issue came up almost at the completion of the drafting of this Bill. There was no time to look at all the implications. We will look at the salary sacrifice proposals that the Local Government Association has asked us to look at. We have given it that commitment. This is a small portion of the solution that it has asked for.

Mrs McCAULEY: The problem is that if the Minister does not look at it before the next election, a lot of people who are presently on council will feel that they cannot serve because they are going to be very unjustly penalised by not being able to declare their own private superannuation schemes as tax deductible. A lot of people are not prepared to take that extreme cut in their tax saving to continue to serve on councils. The Minister is asking them to make sacrifices that he would not ask normal workmen to make. Councillors are being asked to make that sacrifice without that particular clause from the Federal legislation that covers them. It seems that the Federal Government has no intentions of trying to alleviate this problem concerning the local authorities. In the local authorities in my electorate, there are at least two small businessmen who are thinking very seriously about whether they will continue on in their role in council. It concerns me that we may lose people who are very good in that role simply because it is going to cost them money to serve on councils.

Mr MACKENROTH: As I understand the situation, the real problem that local governments have is not with the State Government but with the Federal Government through its superannuation laws. We are attempting to help them with the problem that they have. The Local Government Association not only here in Queensland but also right throughout Australia, is making representations to the Federal Government in an attempt to have the problem solved where it should be solved, and that is at the Federal level. I understand that on Thursday this week, the Local Government Association of Queensland will be meeting with Brian Howe, the Deputy Prime Minister and Federal Minister for Local Government, to discuss this very problem.

I think that we need to really try to solve that problem. We have given a commitment that we will consider trying to assist with the problem by providing some answers through State legislation. I cannot give a commitment as to when we may have an answer to that problem. Perhaps we need to have some more answers from the Federal Government before we will be in a position to know that. Even if we can make a decision before next year's council elections, even though the Act may not be amended, I would make that statement. As soon as we know what action we can take, I will make that statement and make it known to councils throughout Queensland.

Of course, the other point is that these schemes cannot come into effect until after the councils' next budgets are brought down. They have to include them in future budgets, not in the present budgets under which they are operating. The current councils cannot make the decisions. It will be up to the councils that will be formed after the election to make the decisions as to whether or not they are in the superannuation schemes.

Mrs McCAULEY: So the Minister will be supporting the LGA in the position that it wants Mr Howe to adopt? Do I take it that the Minister will be supporting the LGA in talking to Mr Howe and getting him to see its point of view?

Mr MACKENROTH: Yes, I am. The problem is one which is, I think, very unfair to those councillors who have small businesses, and who have their own superannuation scheme. To be penalised in the way they are for serving on a local authority is unfair, and I am prepared to support the Local Government Association on this matter.

Amendment agreed to.

Clause 186, as amended, agreed to.

Clause 187—

Mrs McCAULEY (12.02 a.m.): This clause deals with insurance of councillors. I know that it is a clause that the LGA asked the Minister to consider putting in a broader context, and he declined to do that. I am rather surprised by that, because I know that the Legislative Assembly is looking at the insurance that covers State members to make sure that it is broad enough to cover the strange, weird and wonderful things that State members of Parliament are required to do, such as ride camels and go-carts or fly in aeroplanes. I believe that local councillors are

in much the same boat. They are the first port of call for anyone who wants to hold a fun day, and who wants some fool to ride a camel, or enter a go-cart race. Councillors risk life and limb. They are not covered comprehensively by this insurance and, quite frankly, if they are expected to perform those sorts of duties, I feel that they should be covered.

Mr MACKENROTH: Last Thursday, I spoke to the executive of the Local Government Association and explained that the insurance for councillors is designed so that councillors are covered while they are fulfilling their roles. Clause 187 (2) refers to the performance of the councillor's role. Clause 187 (4) gives some examples. It is not a complete list of what a councillor can and cannot do; it is some examples of what a councillor can do. If the councillor's role in representing his or her council is to ride a camel, that councillor will be covered. If the councillor is performing the duties that are required of him or her, as an elected representative, he or she will be covered. However, the argument from some of the councillors is that they should be covered 24 hours a day. I do not believe that those councillors who also operate small businesses should be covered 24 hours a day for insurance purposes. I do not believe that the council should be covering them while they are operating their small businesses. For example, if a councillor operates a garage, that person should not be covered by the council for injury while that person is repairing a motor vehicle for profit. That is the argument for extending the coverage to 24 hours of the day. As the clause is written, it covers councillors in fulfilling their duties as councillors. It covers them while they are on their way to the council, or to any council function. It would cover them while they are attending any conferences, or similar functions. It gives them full coverage while they are performing their duties, and that really is their argument—that they should be covered for that. The argument was put forward very forcibly at the LGA Executive by Rob Akers, who is a former member of the Legislative Assembly. He appreciates fully the advantages of the insurance scheme that operates for the Legislative Assembly, and he would like to see those provisions extended to councillors.

Mrs McCAULEY: I have misgivings about whether the functions I am thinking of are covered under clause 187 (4) (c), which states—

> "at official functions organised for the local government."

I will give the Minister two examples: one is where there is a charity race day at Banana to raise funds for the cancer campaign. Local councillors are asked to go to that function, and compete in the main event of the day, which happens to be a camel race. A councillor falls off and breaks his leg. Is he covered? He is attending the race day because he has been asked to attend as a councillor. The second example is if there is a scout jamboree in the area, and a whole heap of scouts are present. As the local representative, the councillor is asked to attend to open that jamboree and to participate in a fun event, which entails him falling over and quite accidentally knocking out a couple of teeth. Is he covered? It is not an event for local government, but that councillor is attending in a local government capacity.

Mr MACKENROTH: If the member reads clause 187 (2), she would see that it states "performance of the councillor's role". Quite clearly, that role would encompass those activities to which the member has referred. The examples that are given in clause 187 (4) are simply examples that lead people in the right direction. Certainly, the Acts Interpretation Act would allow anyone to pick up *Hansard* and see quite clearly what I am talking about, that is, that if a councillor is invited to a scout jamboree, to a camel race or to a donkey race as a councillor, and he or she is performing his or her role as a councillor, that councillor would be covered.

Clause 187, as read, agreed to.

Clauses 188 and 189, as read, agreed to.

Clause 190—

Mrs McCAULEY (12.08 a.m.): I simply wish to register my opposition also to the deletion of the oath of allegiance. I feel that it is important that it be on the public record that I think that it is really the first step in the wrong direction. I believe that it is important that we retain that for the third tier of government. I consider that it is equally as important a tier of government as the other two tiers. I guess that the next step will be that the oath of allegiance will be deleted from the oaths that members have to swear when they are sworn into the State House and the Federal House. I think that it is unfortunate that that oath of allegiance has been done away with.

Clause 190, as read, agreed to.

Clause 191, as read, agreed to.

Clause 192—

Mrs McCAULEY (12.09 a.m.): Again, I simply wish to add to the comments were made by other speakers during the second-reading debate when they said that it was an excellent idea that councillors who have a pecuniary interest in a matter must leave the room while that issue is being considered or voted on. I have been present on so many occasions when the councillor concerned says, "I declare my interests", and then sits there. That really does have an inhibiting effect on a discussion, when members know that they are really opposed to whatever it is that is being proposed, but they have to live with this person who is sitting next to them and listening to the discussion going on. It seems unfortunate that this matter has to be put down in writing, in black and white, but I am pleased that it is because it means that no-one will feel in any way pressured simply by the presence of a person who has declared his or her interests.

Mr MACKENROTH: I thank the member for Callide for her support and inform her that the member for Kurwongbah was very insistent that this provision be included. As a former councillor and member of my parliamentary committee, the member for Kurwongbah raised this point as we went through this legislation, clause by clause. It was added as a result of a suggestion made by her, and I thank her for that suggestion.

Clause 192, as read, agreed to.

Clauses 193 and 194, as read, agreed to.

Clause 195—

Mr SZCZERBANIK (12.11 a.m.): I do not wish to deal with this clause at length, but the register that is referred to in it concerns me. It is about time a register was included. Earlier, the member for Nerang referred to Independent candidates running for council elections. In my electorate, the practice amounts to a misrepresentation of the truth because the candidates say that they are Independents and that they belong to no political party. I can inform the Committee that Bill Laver has announced his National Party affiliation. He has been a member of the National Party for 20 years but is only now saying that he is a member of the National Party. It is wrong for people to be elected to a council by saying that they belong to no political party and do not represent a political party's views when voting on issues that come before the council when that is not the case.

In Albert, Councillor Hackwood said that he was an Independent when he ran for election, yet in the State election in 1992 he ran as a Liberal candidate in the Waterford electorate against my colleague Tom Barton. It is true that these candidates run as Independents, but they are aligned with a political party. That fact cannot be denied and it should be placed on the record. Other candidates who run for election for the Albert Shire Council also say that they are Independents. I have a whole list, and I can go through it. Councillor Kleinschmidt is a member of the National Party, yet he runs as an Independent. Councillor Ray Stevens in Division 5 is a member of the Liberal Party, but he runs as an Independent. At the next council election, he hopes to nominate for election as chairman. With the backing of Hy-Mix and the Liberal Party, he hopes to be the chairman. Councillor Witham is a Liberal and runs as an Independent. Councillor Handley says that he is an Independent, yet he is a member of the National Party, and there is also Councillor Craig, who is also a member of the National Party. Those people do not deny their membership of political parties, yet they say that they are Independents.

If those candidates were honest with the ratepayers of my electorate, they would present their bona fides and reveal the political party to which they belong. They should declare that they have views that are aligned to the particular party. They call themselves Independents, yet the member for Nerang said earlier that there should be no political parties involved in local authority elections. That is all lies, and it is outrageous that he should say that. Independent candidates use their party affiliation to be elected to council. They are not being honest with the ratepayers in Albert if they do not declare their political party membership. For a long time, councils have been used——

A Government member: And abused.

Mr SZCZERBANIK: Councils have been used and abused as an arena for breaking candidates into a fully-fledged political career. The late Russ Hinze is a good example, because he was an Independent and a National Party member who was elected to the Albert Shire Council and who then went on to State politics. The furphy about Independents that is being spread by the member for Nerang is in fact a lie, in my opinion. Local government elections are used by people to break into a political career. If the candidates to whom I have referred cannot be honest with the ratepayers up-front, then they cannot be honest with them at all.

Mr MACKENROTH: While we might support some of these Independent people,

the register of interest will allow these Independent people to actually put down the political parties to which they belong. It will actually be a requirement.

Mrs McCAULEY: It seems that there is a bit of confusion about a person who belongs to a political party but chooses to stand for local government election as an Independent. Some people seem to think that those people are automatically bound by a political party, that they have to toe the party line and be dictated to. I make it very clear that there is a big difference between people filling out the register, as Bill Laver does, and stating that they are members of the National Party, and people who are endorsed members of the National Party.

I do not think that there are any endorsed members of the National Party standing for local government election in this State. Quite frankly, the National Party is not interested in funding people to stand for local government elections, but Government members are trying to say that because a candidate is a member of a particular party, he or she must be bound by the rules of that party. I do not agree with that at all. Members opposite are quite wrong.

Mrs Woodgate interjected.

Mrs McCAULEY: That is exactly what the member for Albert was saying, and it is also what all the other little echoes are saying. Members opposite are trying to make out that a person who is a member of a political party and who chooses to stand as an Independent is somehow standing as a member of that party, but that is not true. Members opposite must grasp the concept that there are people who are members of political parties and who choose to view local government in an non-political way, which is the best possible way. They want to stand for election as genuine Independents. I remember very clearly when I was a member of this Parliament and also a member of the local council. When I stood for the State election in 1989——

Mr Barton interjected.

Mrs McCAULEY: The member should be quiet and listen. I had some how-to-vote cards printed. When they came back from the local printer, I noticed that he had put on the bottom of the card, "Your Independent Candidate". I did not put it on there; the fellow who printed the cards did, because he believed that I was a genuinely independent candidate. I was never told by the National Party how I should vote in local government matters, and I would not do that anyway.

Government members interjected.

The TEMPORARY CHAIRMAN (Mr Bredhauer): Order!

Mrs McCAULEY: Members opposite are obviously not interested in hearing the point that I am trying to make. They obviously have closed, tiny minds and see the whole thing as a devious political plot. I can assure members opposite that it is not, and that they are wrong.

Mr SPRINGBORG: I drew the attention of honourable members to this point earlier during the second-reading debate. The comments by the honourable member for Albert have offended me a little bit. When I rose in the House, I pointed out that the six local councils in my electorate had members of various political parties as council representatives. I can say with the utmost confidence that, without a shadow of doubt, those people—such as the Labor representatives of the Stanthorpe Shire Council, Michael Bathersby and Neal Sullivan, who were both endorsed Labor Party candidates in the past—conduct themselves in an extremely independent way. I do not believe that they are influenced by party policy or party dogma.

Mr Beattie: We are not saying that, anyway.

Mr SPRINGBORG: Yes, Government members are. The clause contains that inference. I have no problems with those people putting their names on a register and saying that they belong to a particular political party. I do not have a problem with that, but the problem I have is the inference that people who are members of a political party automatically follow political party dogma. That is not the case.

A Government member: Yes, it is.

Mr SPRINGBORG: My experience has been that those people have acted in a non-political and non-partisan way. It is about time that members of this Parliament started to understand such matters and stopped playing politics. It should be realised that these people are capable and perform their tasks very well.

Mrs WOODGATE: I believe that Opposition members are missing the point. The Bill does not make a point about whether or not a person is endorsed. It simply provides that the voters have the right to know what political party a candidate belongs to because they want to know about the philosophy of the person they are supporting. The Bill is not saying that political party membership has to be declared because it means that a candidate will have to toe that political party's

line. The Bill is saying that it should be recorded in the register as a courtesy to voters who have every right to know the philosophy of the candidate and whether that is ALP, National or Liberal. There is an Independent and there is an independent, and there is a big difference between the two.

Mr Beattie: And that does not mean that they are bound by the political party.

Mrs WOODGATE: They are not bound. The Australian Labor Party has had candidates who have stood as Independents. They are not bound by the political party, but voters have a right to know about their philosophy.

Clause 195, as read, agreed to.

Clause 196—

Mrs McCAULEY (12.21 a.m.): I require some clarification on the part of this clause that refers to "a person permitted by law to have access to information". Does that mean that a person must apply to a magistrate to obtain information?

There is another part of this clause that concerns me. There is obviously a difference between the register of interests for elected officials and the register of interests for CEOs and other nominated staff. It seems that protection is provided to relatives of elected officials and staff of a local authority, because their register of interests is not allowed to be printed in the media or widely publicised. I want to clarify that point. Is it correct that elected officials can have their register of interests splashed all over the place, but their relatives and the staff of a local authority cannot?

Mr MACKENROTH: That is correct. The same provision applies to members of Parliament, because only their interests may be published. The interests of a member's spouse or family may not be published. Under clause 196 2 (b), "a person permitted by law to have access to information" refers to the CJC or the police, who are permitted by law to have access to information.

Clause 196, as read, agreed to.

Clause 197, as read, agreed to.

Clause 198—

Mrs McCAULEY (12.23 a.m.): Recently, a case arose in which the Mayor of the Cairns City Council, Kevin Byrne, who was not a member of a particular subcommittee, released some findings of that subcommittee. Apparently, various sites were being considered for a particular proposal, and he released that information before the subcommittee had approved its release. I think it was a case of, "You have left me off the committee, so I will release the information." Under the present Act, no penalty applies in such a case. However, under this legislation, I imagine that a penalty could be imposed under clause 1 (b), which refers to harming the local government, or under clause 2 (b), which refers to information that the local government wishes to keep confidential. But what happens if the mayor believes that a particular matter should be raised because the local authority is not doing the right thing—as occurred in this case? Who rules on that? I know it is a grey area. However, in the case of a mayor and a hostile council—as we discussed earlier—that mayor could well have information that he intends to release but which may contravene this section. If the councillors approach the Minister and say that the mayor has done the wrong thing, who will decide whether that is right or wrong?

Mr MACKENROTH: They would not come to me, because I cannot impose a penalty. They would go to court. We are talking about the improper use of information—not having released some information, as the Mayor of Cairns did recently. That is the important issue. One could choose an example and ask, "Is this an improper use, or is it not?" In that instance, if the council had made a decision to take action, it would need to prosecute the matter through a court. It is not something that I or anyone else could decide. However, we are attempting to include in the legislation a provision that it is an offence to improperly use information that is available to councillors. I believe that provision is worthy of inclusion in the legislation.

Clause 198, as read, agreed to.

Clauses 199 to 212, as read, agreed to.

Clause 213—

Mr MACKENROTH (12.26 a.m.): I move the following amendment—

"At page 142, line 11—

omit 'by', *insert* 'of'."

This amendment merely corrects a typographical error.

Amendment agreed to.

Clause 213, as amended, agreed to.

Clauses 214 to 218, as read, agreed to.

Clause 219—

Mrs McCAULEY (12.27 a.m.): On a recent visit to Toowoomba, a matter was raised with me by the Toowoomba City

Council. Over the Christmas holiday period, that council was in the midst of a by-election to fill the vacancy created when Clive Berghofer retired. The council was having immense difficulties with the two-month time-frame. It seems to me that such a case would occur only rarely. However, as the Christmas school holiday period extends for eight weeks and some people go away for six of those weeks, it could be difficult to hold a by-election within the required two-month period. I believe that a mechanism should be put in place whereby the Minister could declare a special case and allow for a three-month period, or whatever period he deems appropriate. Under this legislation, the Minister has no leeway in that regard. I bring that case to the attention of the Minister, as similar circumstances will no doubt be encountered in the future.

Clause 219, as read, agreed to.

Clauses 220 to 285, as read, agreed to.

Clause 286—

Mrs McCAULEY (12.28 a.m.): The Opposition opposes electoral visitor voting arrangements for local government elections. It does not apply to Federal elections, and I do not believe that it should apply to local authority elections, either. It will be a darned nuisance, because many councils could apply to have all votes cast by post in order to avoid this problem. This would create hassles in some shires. As the member for Burleigh pointed out, there are some remote shires around Boonah, Beaudesert and the back of the Gold Coast. Electoral visitor voting will be a big headache for those local authorities.

Mr LAMING: I support the remarks by the member for Callide. I draw the attention of the Minister to the section of the Bill dealing with declaration voting, which covers two aspects of electoral visitor voting. I query the necessity to introduce electoral visitor voting when those two aspects could be much more easily covered by postal voting.

Mr MACKENROTH: Electoral visitor voting applies in this State. Wherever possible, we have attempted to incorporate in the Local Government Act the arrangements that apply at the State level. Electoral visitor voting is a procedure that people understand. I found it amazing that, during the debate on the second reading of the Bill, National and Liberal Party members claimed that electoral visitor voting is wrong. In 1972 or 1974, members of those parties implemented electoral visitor voting and claimed that it was the most modern way for aged people and people with disabilities to fulfil their voting obligations. Electoral visitor voting has existed in this State since then. It was implemented many years ago in the City of Brisbane Act, and we are extending it to the rest of the State.

Clause 286, as read, agreed to.

Clauses 287 and 288, as read, agreed to.

Clause 289—

Mrs McCAULEY (12.31 a.m.): I mentioned this in my speech earlier in the night, and the Minister did not take me up on it, so I will reinforce the point. I am quite serious about this matter. For the clause to exempt someone in advanced pregnancy is an anachronism. If the Government were to conduct a poll tomorrow of young women going past in the street, they would all say that they would not consider that that was a disability that would stop them from getting to a polling booth any more than it would be a disability to have a hangover, one leg or a bad back. It will not cause them to implode the minute they get into the ballot box. In this day and age, I feel that it is totally unnecessary.

Mr MACKENROTH: That is not the reason for the inclusion of that provision. It is not that the woman is going to implode if she goes inside the polling booth, as the member said. The provision has been inserted so that a woman who is in an advanced state of pregnancy and who believes a week before the election that she may very well give birth within the next week can have a declaration vote because she believes that she may be unable to go to a polling booth on the Saturday. If some time early on the Saturday morning she were to go into labour, she would not be in a position to say, “On the way to the hospital, I will stop off and vote” or, “I will go to hospital and have the baby and then I will go out and vote later in the afternoon.” The provision is there. It has been in the State Electoral Act for a long time so that a woman who is in an advanced state of pregnancy has the ability to vote before election day if she believes that there is a possibility that she could be giving birth on the Saturday.

Mrs McCAULEY: That explanation makes perfect sense to me. I thank the Minister for that.

Clause 289, as read, agreed to.

Clauses 290 to 308, as read, agreed to.

Clause 309—

Mrs McCAULEY (12.33 a.m.): I make this protest about clause 309 on behalf of all of the returning officers who were, in years gone by, able to start counting votes after 10

o'clock on the day of the poll. From now on, they will only be able to check that those votes are valid and will not be able to start counting them until after 6 p.m. Many returning officers in many local authorities that have full postal ballots will find that a grave inconvenience. They have already complained loud and long about it. I do not see why the provision was changed. I know that it is to bring it into line with what happens on the State and Federal scene. The provision should have been left as it was. I am simply registering my protest about it. It would not make any difference at all if the returning officers could get the counting over and done with, starting at 10 o'clock, as they have been used to doing, instead of having to wait until 6 o'clock at night.

Clause 309, as read, agreed to.

Clauses 310 to 312, as read, agreed to.

Clause 313—

Mrs McCAULEY (12.35 a.m.): I know that this provision was in the old legislation, under which the returning officer must decide on a casting vote which candidate is elected if the candidates are neck and neck. It has happened before. It has happened in my electorate. The shire clerk was put in the position of having to decide for whom to vote, and one of the candidates was his wife.

Mr Mackenroth: Easy decision to make, if he wanted to go home that night—vote for his wife.

Mrs McCAULEY: Exactly. Most people would understand that. What a terrible position for him to be put in. What a terrible position for any clerk to be put in, particularly living in a small town, to have to make such a decision. It would be better if they put the names in a hat and drew them out. That provision should have been changed. It puts the returning officer, who is usually the shire clerk or the town clerk, in an invidious position. I wish to register my protest about it.

Clause 313, as read, agreed to.

Clauses 314 to 376, as read, agreed to.

Clause 377—

Mrs McCAULEY (12.37 a.m.): I move the following amendment—

"At page 216, lines 18 to 19—

omit proposed paragraph (g), *insert*—

'(g) any action to be taken by the local government under the *Local Government (Planning and Environment) Act 1990*, including deciding applications made to it under that Act; or'."

The Opposition feels that paragraph (g) does not cover subdivisions comprehensively. We feel that omitting that paragraph and inserting this one will cover it adequately, or we hope that it will. The paragraph talks about rezoning or development of land but it does not talk about subdivision under a planning scheme.

Mr MACKENROTH: I accept that the amendment as moved by the member for Callide more adequately covers the areas under the Planning and Environment Act. I am prepared to accept the amendment.

Amendment agreed to.

Clause 377, as amended, agreed to.

Clauses 378 to 394, as read, agreed to.

Clause 395—

Mr LAMING (12.39 a.m.): I referred to the purchasing policy in the proposed Local Government Act and asked whether it included any preference clauses for local suppliers, State suppliers or Australian suppliers. I would like the Minister's comments on whether such a provision is intended to be included or whether it is somewhere else in the legislation but I have not seen it. I would like to know what the intention is in that regard.

Mr MACKENROTH: We have put the principles governing the making of contracts into the legislation. They are exactly the same as those principles that cover the State. That is the way that it is intended to operate, and that is the way that it will operate.

Clause 395, as read, agreed to.

Clauses 396 to 407, as read, agreed to.

Clause 408—

Mr MACKENROTH: (12.40 a.m.) I move the following amendment—

"At page 229, line 10 (after 'exercise')—

insert 'of'."

Amendment agreed to.

Clause 408, as amended, agreed to.

Clauses 409 to 429, as read, agreed to.

Clause 430—

Mr MACKENROTH (12.41 a.m): I move the following amendment—

"At page 237, line 26—

omit 'bank'."

This is the second of the amendments relating to the bank issue. Deletion of the term "bank"

from this clause will leave it clearly open to spell out the requirement in the local government finance standards that separate bank accounts must be kept for the operating fund and the trust fund and that the term "bank" includes a bank, financial institution or foreign society.

Amendment agreed to.

Clause 430, as amended, agreed to.

Clauses 431 to 446, as read, agreed to.

Clause 447—

Mrs McCAULEY (12.42 a.m.): I simply wish to register my strong support for this proposal to have an annual report that sets out a whole host of details for people to oversee. While local government is a very open level of government and the meetings are open and the decisions are usually well documented, I believe this annual report will fill in any gaps there may be in the accountability of the local government.

I do have a small concern about the cost of this accountability and whether or not it is going along with the corporate and operational plans, etc., and the other registers that have to be kept, whether it will require more staff to be put on and whether the percentage of the total budget devoted to administration will rise. I suspect that it might. By the same token, I believe that once the hard work is put in in the first annual report, it will probably be relatively easy in future.

I particularly agree with the aim of putting down particulars of remuneration paid to councillors during the year—all of those sorts of details—plus the details of the number of meetings attended by each councillor, because in this way people will be able to look at that annual report and see whether or not their councillor is performing. It will not be a matter of whether they have a councillor who gets headlines for every controversial matter that arises. It will be a matter of: do they go to these meetings, are they being paid for them, and do they actually turn up and do the work?

Mr MACKENROTH: I think the annual report certainly is a good idea as a record of the council's activities, and also as a requirement for it to put down in writing what it has been doing and what the councillors have been doing. I think the point raised relating to costs is a very valid one that we need to be very careful about, and I think all local authorities need to be similarly careful. I certainly hope that this requirement to have annual reports will not lead to a situation in which we have a competition between local authorities to see who can produce the prettiest annual report. What we are looking for is content, and if they look to the annual report of the Department of Housing and Local Government for this year, I think they will see that it is a very good guide, because it is a very good photocopy.

Clause 447, as read, agreed to.

Clauses 448 and 449, as read, agreed to.

Clause 450—

Mr MACKENROTH: (12.44 a.m.): I move the following amendment—

"At page 245, line 8—

omit 'for', *insert* 'to'."

Amendment agreed to.

Clause 450, as amended, agreed to.

Clauses 451 to 475, as read, agreed to.

Clause 476—

Mrs McCAULEY (12.45 a.m.): I see problems with this particular clause in that I think it is overkill. I believe very strongly that if people are elected to be on a local authority and make decisions, then they should make those decisions. If they make the wrong decisions, they will not be re-elected. In this case they have this process of consultation not only on the proposed law that is being put forward but also on the policy. Quite frankly, I just think it is overkill. I think it will make life much harder for councillors. They are there to make decisions. I have concerns about this particular clause.

Mr MACKENROTH: The basis of this requirement where a law is proposed is for the council to go out to the local community. The local community needs to know what the local authority is doing. At present, there is a requirement in the Act for local authorities to advertise by-laws for planning schemes for 21 days and under the Planning and Environment Act to advertise them for 28 days. So the local laws that we spell out in this Local Government Act are also going to apply to planning schemes under the new Planning and Environment Act when it is brought in next year. They also will be local laws, so there will be a situation in which a whole strategic plan for an area will appear and there will need to be consultation with the local community, as there is now, just the same as when a by-law is created now there is a need for it to be advertised to give people the opportunity to object. There is a need for that consultation with the community.

Mrs McCAULEY: I can just foresee a case where if a law concerning cats or dogs,

or the number of such animals that people can have on their premises, etc., is proposed, that could tie up a council for months while it consulted with the community, because those are most controversial issues, as are issues such as the number of roosters that can be kept and whether indeed they can be kept within the town limits. Those three problems are ones that I know have caused a great deal of discussion in many local authorities for a considerable number of years.

Clause 476, as read, agreed to.

Clauses 477 to 516, as read, agreed to.

Clause 517—

Mrs McCAULEY (12.47 a.m.): I just wish to say briefly what a great idea I think it is that it will be mandatory for councils to have road maps and registers. I have eight local authorities in my electorate; some of them have road maps, some of them do not. I am talking about road maps that can be sold to people. It is the most tremendous boon for people such as me and for tourists. It is something that all local authorities should do. I am pleased to see that they will have to do it in future. I think it is a very forward-looking step.

Clause 517, as read, agreed to.

Clauses 518 to 590, as read, agreed to.

Clause 591—

Mrs McCAULEY (12.48 a.m.): I have a concern about Part 4 of this particular clause, which says that a person may otherwise inspect a land record on payment of the fee decided by the local government. What if the owner of that land does not wish to be recorded in this land record? I know that if a person really wants to be incognito and does not want to be on the electoral roll, their name can be blotted out. I have a concern on this issue if people have to record their name and address and they cannot use a nominee. This matter has been raised with me. It is something I had not thought of, but it has been raised with me. Some people like to disappear. They might be running away from alimony payments and so on. They do not want to be known; they do not want to leave any traces for people to find.

Mr MACKENROTH: If we were to amend the clause to remove this element, anyone who wanted to find someone could simply go to the Titles Office and ask for a name search of any property that any person owns. There is a need for this clause in the Act. For example, we may want to build a fence, and there may be an absent owner on the property next door. We could go to the local authority and find out where this person was. Then we could serve a notice of intention to fence. But if a person had the opportunity not to have that information made available, we would not be able to find anybody to pay for half the fence. So there is a need for it. But there are, as I said, other ways for people to access that information. Even if we deleted this element, easy access to this information is available at the Titles Office.

Clause 591, as read, agreed to.

Clauses 592 to 610, as read, agreed to.

Clause 611—

Mr MACKENROTH (12.52 a.m.): I move the following amendment—

"At page 312, line 4—

omit 'and', *insert* 'or'."

Once again, it is an amendment to correct a typographical error.

Amendment agreed to.

Clause 611, as amended, agreed to.

Clauses 612 to 702, as read, agreed to.

Clause 703—

Mrs McCAULEY (12.53 a.m.): This is a clause about which I received a large number of complaints, because elected officials felt that their power was being usurped. I was pleased to see the saver in subclause (3) that the local government may decide that it, rather than the CEO, is to appoint employees to fill particular senior executive positions. That subclause was inserted to make those people happy. A lot of councillors quite rightly felt that their role was being usurped by the provision that only the CEO could employ other people. For example, the engineers and the shire clerks in a lot of local authorities are really on an equal footing. In the final analysis, the clerk is obviously the boss, but they consider themselves to be on an equal basis.

It would be much better all round for the local authority—the elected officials—to appoint the engineer rather than having the shire clerk appoint the engineer. That could lead to problems. There are often personality clashes and rivalry between those two people. To have the engineer reporting to the CEO is probably not as smart as having him report through the CEO to the council. When they raised those objections with me, I felt that they were relevant objections. I am pleased that saver is in the legislation. I am sure that 99 per cent of councils will follow that and appoint their own senior staff rather than have their CEOs do it.

Clause 703, as read, agreed to.

Clauses 704 and 705, as read, agreed to.

Clause 706—

Mrs McCAULEY (12.55 a.m.): I simply wish to record my dismay that this clause is in the Bill. I believe it is an overkill. I know it is probably something that the CJC recommended. When we have to keep a register of the persons to whom we are delegating responsibilities, it becomes slightly ridiculous, as the member for Tablelands pointed out in his speech. It is on a par with the ID card proposal further on in this Bill—that is, that ID cards must be provided for employees. ID cards in some small local authorities are an absolute nonsense and a total joke. This particular register is in the same category.

Mr MACKENROTH: The honourable member for Callide has hit the nail right on the head: it was a recommendation of the CJC.

Clause 706, as read, agreed to.

Clauses 707 and 708, as read, agreed to.

Clause 709—

Mrs McCAULEY (12.56 a.m.): I would like some clarification on this clause. For example, if a councillor asks for help or advice from an employee of the local authority, that employee must tell the CEO about the requests as soon as is practicable. Surely if the clerk or the CEO were away at a conference and a councillor needed some advice, he could get it without having that employee ringing the CEO wherever he was in the country to say, "Councillor Brown has been in touch with me, and I am just reporting in." It smacks a bit of espionage and intrigue. Is it another CJC recommendation?

Mr MACKENROTH: Clause 2 allows the chief executive officer to make the guidelines under which the staff operate. I refer the honourable member to an earlier clause which she supported. Councillors should not be directing the staff of councils. This clause ensures that that does not happen. It is a further mechanism whereby we ensure that the councillors are not going around the back door. But there is still provision for them to request advice, and that advice can be given.

Clause 709, as read, agreed to.

Clauses 710 to 804, as read, agreed to.

Schedule—

Mr MACKENROTH (12.58 a.m.): I move the following amendment—

"At page 439, after line 18—

insert—

'LOCAL GOVERNMENT ACT 1936

'1. Section 3(1)—

insert—

' "bank" includes a building society, credit union or foreign society;

"foreign society" has the meaning given by the Financial Institutions (Queensland) Code;'."

This is the last of the amendments relating to the bank issue. The Local Government Act 1936 is being amended to define the term "bank" to mean a bank, financial institution or foreign society. I would like to thank the Opposition for its support and positive words during the debate on this legislation. It was a very lengthy Bill to put together, and it has taken a long time. Mr Cooper spoke about the fact that it was started when he was the Premier of Queensland, so it has taken a long time to get here. It has had a lot of support from quite a number of people. I thank the Opposition for its support—not only for its words of support for the actual legislation but also for ensuring that it goes through tonight.

Amendment agreed to.

Schedule, as amended, agreed to.

Bill reported, with amendments.

Third Reading

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

ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (1 a.m.): I move—

"That the House do now adjourn."

Media Independence

Hon. N. J. TURNER (Nicklin) (1.01 a.m.): Today, I alert the House to a very serious matter. It is the matter of a political conspiracy that strikes at the very heart of Queensland democracy. Simply put, it is a conspiracy by the Goss Labor Right faction to destroy media independence in Queensland. There is increasing evidence that the Goss Labor Right apparatchiks have infiltrated the highest levels of editorial management in media organisations in order to do the Premier's dirty work. Recent events suggest that no media worker or personality is safe from the corrupt vigilance of these ring-ins. However, while the

media ring-ins do the dirty work, it is apparent that the Premier, his close friends and senior political cronies are leading the conspiracy.

Many concerned citizens must surely wonder whether this hypocritical Goss Labor Government will stop at nothing in its crazed ambition for absolute power. The machinations of the Goss media manipulation unit are well known to Queensland reporters. This Government is extremely intolerant of criticism. There can be no doubt that all courageous, independent-minded journalists are on this Government's hit list. Honest reporters live in fear of the Goss Labor Right affiliated managers and editors. These days, it takes a great deal of courage, if not recklessness, to accurately report the political facts in Queensland. However, all the despicable media antics of the Goss Labor Right pale into insignificance compared with what they have achieved with former Queensland *7.30 Report* presenter Pamela Bornhorst.

Mr SPEAKER: Order! I have to seek advice, but I think that that matter is before the civil courts. If it is, then it is sub judice. The matter is before the courts.

Mr TURNER: I am speaking about the independence of the media and it so happens that it relates to what has happened concerning Pamela Bornhorst.

Mr SPEAKER: Order! The sub judice convention is quite clear. It does not matter whether it is a civil matter before a civil court. I will not allow the honourable member to discuss the matter of Pamela Bornhorst. That is my ruling.

Mr TURNER: My opinion differs from yours, Mr Speaker.

Mr SPEAKER: I do not think that the honourable member will win, but he may discuss it. Does the member wish to take a point of order?

Mr LINGARD: I rise to a point of order. It has always been stated that, unless a date for a hearing is set down, quite obviously the matter is not sub judice. Otherwise, anyone could initiate such an action to prevent debate. Mr Speaker, unless you can actually stipulate that you know of such a date, then surely it is not sub judice.

Mr TURNER: I insist on going on with it.

Mr SPEAKER: I am still seeking the advice of the Clerk.

Mr TURNER: I will table it and take it as read.

Mr SPEAKER: I will check, and the honourable member can make this speech on another occasion. I think that that matter has gone to the courts, and I think that is the safest way to go about it.

Spirit of the Outback

Mrs WOODGATE (Kurwongbah) (1.05 a.m.): On Friday, 19 November, I had the pleasure of travelling on the inaugural service of Queensland's new passenger train, the Spirit of the Outback. This train, which travels from Brisbane to Longreach, replaces the Midlander which previously had travelled from Rockhampton to Longreach. In the past, persons wishing to travel from Brisbane to Longreach by train had to travel to Rockhampton on the Spirit of Capricorn or the Capricornian and thence by the Midlander to Longreach. Now, with this new service, people who board the train in Brisbane do not have to change trains at any point along the route. However, unlike the Midlander journey, the new service will travel the outback during daylight hours, allowing passengers to enjoy the scenery. It will arrive at Longreach at 7 p.m., or 24 hours after leaving Brisbane.

The Spirit of the Outback will operate twice per week and, if the inaugural service was any yardstick, it will prove to be an outstanding success not only for those people making the trip but also for the people in all the towns along the route who will benefit with the resultant tourism bonus that surely will follow the opening up of this great service.

The Spirit of the Outback departed Roma Street Station at 7 p.m. and was preceded by a typical outback send-off. Official guests, media representatives and paying guests alike were all entertained by the sight of "Captain Starlight" on horseback charging down the platform at Roma Street.

I agree with Queensland Rail in that this newest tourist train will provide a major tourism boost to the outback and will tap into the culture and heritage of one of the growth areas of the Australian tourism industry. This new train will continue Queensland Rail's drive into the tourism and travel market, which already features services such as the Queenslander and the Spirit of the Tropics with its Club Loco disco car.

I believe that I speak for all passengers on the inaugural service in congratulating the Minister, David Hamill, Commissioner Vince O'Rourke, and senior Queensland Rail personnel such as John Angel and John Zantiotis for the success of this newest tourist

attraction. Deputy Premier Tom Burns and my parliamentary colleagues Peter Beattie and Vaughan Johnson travelled on the train and all were loud in their praise of the new tourist service.

The support of the country people living along the route was evidenced by enthusiastic welcomes in each of the towns at which we stopped. Those towns included Rockhampton, Gracemere, Emerald, Barcaldine and Longreach. Special mention must be made of the delightful children's bands from St. Patrick's Convent school in Emerald as well as the Barcaldine State School in Barcaldine.

Without wishing to single out any specific town for special mention, I could not let the occasion pass without offering a special thanks to all those townspeople who turned out for a magnificent welcome and display at Barcaldine. The Spirit of the Outback remained in Barcaldine for one hour, during which time all passengers were escorted by troopers on horseback and shearers from bygone days to the Australian Workers' Heritage Centre for a marvellous taste of outback hospitality.

I understand that tour packages being put together at the moment by Queensland Rail will include visits to the Stockman's Hall of Fame, three nights' accommodation at a working sheep and cattle station and other rural heritage and cultural attractions, such as the birthplace of Qantas and Waltzing Matilda. One outback experience involving the Spirit of the Outback provides for a coach tour package to Barcaldine, the home of the Tree of Knowledge and the Australian Workers' Heritage Centre, and then to Blackall for a guided tour of its Historical Wool Scour.

One thing I must say is that I believe that much of the success of the inaugural service was in no small way due to the staff on the Spirit of the Outback, who worked tirelessly to ensure that everybody on board, including official guests and the media, enjoyed a memorable weekend. The clientele was from a wide cross-section of society. In fact, one familiar face on board was one Gough Whitlam, former Prime Minister of Australia, and another gentleman whom I was pleased to make the acquaintance of described himself as a "lowly fettler from Glasshouse", a dedicated employee of Queensland Rail, a Mr Quirk, who, like myself, was loud in his praises for the new Spirit of the Outback.

In a recent press release, Minister David Hamill was quoted as saying that the $900,000 Spirit of the Outback project was the largest single refurbishment program ever undertaken by Queensland Rail. The train speaks the language of the outback with stories about the colourful characters and the rural and mining industries which comprise its rich heritage. Some of the features of the train are the Tuckerbox Dining Car, the Stockman's Bar and Captain Starlight's Car. The interior designer, Denise Corcoran, has done herself and Queensland proud in her coordination of a theme which reflects the colour and feel of Australia's outback. The meals were first class and I doubt whether better fare could be found at many leading Brisbane restaurants.

One word of warning for any future would-be travellers. Do not leave the train at Bogantungan. It is not a scheduled stop and it is not a pretty sight to see a Minister of the Crown and a Railways Commissioner trudging approximately half a kilometre to a kilometre to catch up with the train.

I strongly recommend this latest addition to Queensland tourism to all honourable members. It is certainly true that trains do take the tension out of travel. I suggest that honourable members who wish to get away from it all for just a few days remember that Queensland Rail saying: "Take it easy—Take a Train."

Building Industry

Mr CONNOR (Nerang) (1.10 a.m.): I rise to speak on the building industry in Queensland. I will do this by comparing three recently released reports: the September quarter *Queensland Economic Review*, prepared by the Queensland Treasury, the Bis Shrapnel report on building industry prospects of October this year, and the economic review by the quantity surveying company, Rider Hunt. There are some fundamental differences between these reports, but there are a number of points that are consistent. Firstly, I would like to quote from the Bis Shrapnel report, which states on page 7—

> "The strong activity levels in Queensland"—

this is to do with dwelling commencements in Queensland—

> "are being driven by strong levels of interstate migration which probably exceeded 52 500 in 1992-93. However, the 47 000 commencements in 1992-93 are significantly above our estimates of the underlying demand of approximately 35 000 dwellings per annum over the five years to 1998. This suggests that the market is likely to retract in 1993-94. The

forecast is for an 8% decline in 1993-94 to 43 500."

The report states further—

"The downturn is expected to be concentrated mainly in private other dwelling commencements in Brisbane where the possibility of an oversupply has developed. The remainder of south-east Queensland (the Gold and Sunshine Coasts) is expected to continue to grow moderately."

It goes on further to state on page 4—

"The underlying demand forecasts are based on an assumption that the net inflow into Queensland will moderate to 33 000 per annum by 1994-95, while in Victoria, the net outflow is assumed to return to a normal level of 15 000 per annum."

It also shows that estimated net interstate migration is likely to fall this year from 52 500 to 38 000. Bis Shrapnel is saying that Queensland's housing industry has been doing very well, especially in Brisbane, as a result of the massive interstate migration. However, it is also saying that this financial year it is likely to have a massive turnaround from 52 000 to 38 000, with a further fall to 33 000 next year and that, as a result, Queensland is likely to have a substantial downturn of 8 per cent in house building. It is saying that that will be as a result of fewer people leaving Victoria and New South Wales. Bis Shrapnel also went on to say that the fall in housing activity in Queensland will be made up with a growth of 8.6 per cent in Victoria and 7.1 per cent in New South Wales.

There is a similarity in the Treasury document which, in the overview on page 3, states—

"State Budget forecasts imply that some weakening in the dwelling sector is likely in early 1994."

So the Treasury document is sounding a warning note. I also remind the House and the Treasurer that, earlier this year, Alan Midwood from Rider Hunt was suggesting that there was an oversupply beginning in some sectors of the housing market, especially in Brisbane.

Probably one of the more worrying aspects is the differences between the Treasury's *Queensland Economic Review,* Bis Shrapnel and Access Economics, and that appears on page 28 of the Treasury document, which states—

"State Budget forecasts are based on the assumption that total migration to Queensland will peak at around 52 000 in 1993-94, up from around 50 000 in 1992-93."

The Budget papers are based on a continuing growth of total migration to Queensland whereas quite clearly Bis Shrapnel is predicting a sharp fall in interstate migration and a fall in overall migration to Queensland. If the Treasurer continues to present only part of the picture, as he did in his ministerial statement to this House this morning, it will give the wrong message to the marketplace, and we could perpetuate this oversupply situation. It is better for the industry to know what is going on than to be presented with only part of the story.

This morning, the Treasurer presented only the fact that the non-dwelling side of the industry was expected to grow. The fact that he did not mention that the report states that the overall industry was likely to decline—and he was quoting from the very same report—is totally irresponsible. That is the reason for my speaking in this debate. If the Treasurer is going to quote those figures, he should be not be playing so much politics with them. He should be responsible, and present a fair picture of what is going on.

Mr and Mrs N. Thonemann

Mrs BIRD (Whitsunday) (1.14 a.m.): I wish to draw the attention of the House to the inflexible Federal legislation that has deeply affected the lives of a family living in my electorate. The legislation pertains to the Department of Immigration and Ethnic Affairs, and its unmoving, inflexible attitude which has deeply affected the quality of life of decent people, and which has affected them in a way that is not only totally unacceptable for a Government department but also totally unnecessary.

Oonagh McCabe, an Irish citizen, and Australian-born Nicholas Thonemann were married in England in 1991. While in England, they had a daughter, Rebecca, who is now four years old. In May 1992, owing to redundancy in Mr Thonemann's employment, the family returned to Australia to take up a job opportunity here. Mrs Thonemann did not obtain a residency visa while in England, as she was advised by the Australian Embassy at the time that that type of application takes about four months to be processed, and that she could apply for residency when she arrived. So she entered the country on a visitor's visa shortly after her husband had arrived here.

Mr Thonemann received his skipper's qualifications in the United Kingdom. Unfortunately, his qualifications are not valid in Australia, and he could not take up the position that he was offered until he had completed various courses, which he has now done. Those courses are quite expensive, and the family had a very hard time paying for them, especially as Mr Thonemann was unable to obtain full-time employment.

To add to their concerns about money, in March 1993, Mrs Thonemann became pregnant with their second child. This normally happy family event has been marred forever by the ordeal that they have had to endure in order to keep the family together. Since their arrival, they have faced financial difficulties owing to the employment situation. For a few months, they had to live with Mr Thonemann's parents in order to save the $780 that was required for a residency visa. By June this year, they had managed to save this money. Unfortunately, Mrs Thonemann's visitor's visa expired in April. She applied for a residency visa of her own volition, and was not approached by an officer of the Department of Immigration to do so. After filling in the forms and paying the application fee, she was told by the department that her application could not be processed as she was then an illegal immigrant.

By the time her visitor's visa had expired, Mrs Thonemann did not fathom the seriousness of not applying for permanent residency. She and her family now face the prospect of being separated after the birth of their baby, all because of the unbending attitude towards its guidelines by the Department of Immigration and Ethnic Affairs. The department told Mr and Mrs Thonemann that they had unwittingly put themselves into this situation and that they would not be able to get the application fee money returned, even though the application was never assessed.

On behalf of the Thonemanns, I made representations to the Department of Immigration and Ethnic Affairs, as did Senator Margaret Reynolds. The Thonemanns were advised by officers of the Department of Immigration to submit the matter to the Migration Internal Review Office in Adelaide. Both Margaret Reynolds and I wrote letters of support for Mrs Thonemann's appeal, but the appeal was subsequently rejected because Mrs Thonemann is an illegal immigrant. To add insult to injury, Mrs Thonemann's illegal immigrant status prevents her from receiving any Medicare benefits. From the onset of her pregnancy, she and her husband have had to bear the cost of medical tests and treatment that Mrs Thonemann has needed, despite the fact that the father of the child is an Australian and holds a Medicare card.

The costs that the family have incurred so far runs into thousands of dollars—money that the Thonemanns do not have. As a non-Australian, they have to pay $400 per day for Mrs Thonemann to stay in hospital during and after the birth of the baby. Those costs do not include any procedures that may need to be taken if the birth does not go smoothly.

Two weeks ago, Mrs Thonemann wrote a letter to the Prime Minister of Australia, Paul Keating, appealing to him to reconsider the decision made by the Department of Immigration and begging him, in her case, to waive the stringent guidelines. It seems to be, at the very least, a great shame that this family cannot enjoy the birth of a new child, as most Australian families do. It seems to be a very great pity that this family has to look upon the birth of their new baby not as something to celebrate but as a Doomsday date, as the date the mother and child of this family will be forced to leave the country.

The Thonemanns have been advised by the Department of Immigration in Townsville that, in order to obtain Mrs Thonemann's residency visa, Mrs Thonemann should leave the country. The department suggested that she take a costly trip to New Zealand, and apply from there. Given the family's current financial status, if the situation was not so serious, this option would be laughable. However, it may be the only option that the family has. The Thonemanns are not criminals; they have not committed any offences. They are being penalised simply for having no money. I beseech and implore the Federal Government and the Minister for Immigration and Ethnic Affairs, Senator Nick Bolkus, to reconsider the decision to deport Mrs Thonemann.

Picnic Point, Toowoomba

Mr HORAN (Toowoomba South) (1.19 a.m.): I wish to speak about the controversy over the proposed redevelopment of facilities at Toowoomba's famous landmark, Picnic Point, which is located on the eastern mountain edge at the end of Tourist Road and includes the parkland area of Tobruk Drive. For many years, the public facilities consisted of a restaurant, kiosk and council toilets. It has operated extremely successfully but, in recent years, that facility has fallen into disrepair and the council, in conjunction with the Lands Department, has looked at the

replacement and redevelopment of that particular facility.

Picnic Point has become one of the most popular places in Toowoomba for family picnics. The Australia Day ceremonies and the dawn service on Anzac Day are held there. In fact, I believe that the first dawn service in Australia was held at Picnic Point. The parkland surrounding the facilities is council parkland and the facilities are located on approximately 4 000 square metres of land that is owned by the Lands Department. There is absolutely no doubt in the minds of the public in Toowoomba that there is a need to replace amenities such as the toilet facilities and the catering facilities.

The history of the redevelopment proposal is that in the late 1980s an attempt was made through the public tender system to have private enterprise develop new facilities. For a number of reasons, that attempt failed. Last year, the Lands Department and the Toowoomba City Council mooted the prospect of private enterprise developing a facility based upon a high rise accommodation development. That brought about a huge furore within the Toowoomba community and resulted in the Lands Department and the Toowoomba City Council spending approximately $6,000 on a professional Morgan Gallup poll which surveyed the opinion of more than 500 people throughout the city. One of the significant results of the poll was that 71 per cent of respondents said "No" to any motel-type accommodation at Picnic Point. In addition, a petition to that effect contained some 3 000 signatories.

This year, the Lands Department went ahead and advertised for tenders. It included in the tender profile a provision for accommodation. Only one tenderer expressed interest—Farr Evratt—and this tender was granted the preferred tender status. The company was given until the end of October to complete some details, including the rezoning approval from the Toowoomba City Council, but was not able to complete them. As a result, the Lands Department extended the time for compliance for another 24 months and provided a program in which the preferred tender had to show community support for the project, rezoning approval by the Toowoomba City Council and financial viability of the project.

It is important to note that the main problem perceived by the public in relation to this particular preferred tender is that it includes accommodation of 30 rooms. The stage has now been reached at which a decision on whether or not the lease will be granted will be made by the Lands Department based on the three factors of community support, rezoning approval by the Toowoomba City Council and financial viability of the project. The pity of this saga is that three mistakes have been made along the way: firstly, there is the concept of high rise accommodation in a public park; secondly, a tender was let which included the right to provide accommodation even after polling showed that that was not wanted by the public; and, thirdly, even though the guidelines were not met after the expiration of six months, an extension of time was granted. It is clear what the people of Toowoomba want. They want a facility that blends in with Picnic Point and that includes kiosks, tea rooms, toilets and a souvenir shop, but not accommodation.

I believe that the people of Toowoomba have been blackmailed into feeling that if they do not go ahead and accept this particular project, they will end up with nothing. The Lands Department has an obligation to the people of Toowoomba in relation to this sensitive and very special area. The department must strive to provide the modest facility that the public wants. The Toowoomba City Council also has a role to play, particularly considering that the council is about to spend $22m on redevelopment of the inner city in the near future.

Picnic Point is a beautiful mountain-top public parkland. It is very much part of Toowoomba's culture and family recreation. There is a principle involved in this controversy. The parkland facilities should not be financed by the introduction of an accommodation complex, nor should the Lands Department proceed with a proposal that cuts clearly across expressed public opinion, including a professional opinion poll. The objective evidence cannot be overruled. If the preferred tenderer does not meet the requirements of community support, council rezoning approval and evidence of financial support, then there is no reason why, with cooperation between the Lands Department and the Toowoomba City Council, a practical facility that blends in with the beauty of Picnic Point and that is in accordance with what the Toowoomba people really want cannot be successfully achieved.

Spirit of the Outback

Mr ARDILL (Archerfield) (1.24 a.m.): The year 1893 AD was not a propitious year for Queensland's railways, which suffered much

damage from the floods of that year. So much damage was suffered that nearly 4 kilometres of line from Dutton Park to Yeronga had to be rebuilt on higher ground, well to the east of Fairfield Road, which was the previous route. In fact, the only work of note that was done that year seems to have been 6 kilometres of track from Biggenden to Degilbo, some work near Lowmead, and the last 8 kilometres into Mareeba, which was opened on 1 August.

One hundred years later in 1993, there have been significant achievements by Queensland Rail, including David Hamill's decision to call tenders for tilt trains for the Brisbane-Rockhampton service. The decision to upgrade the North Coast Line with numerous deviations—removing the speed limits imposed by the winding line that was put down in the era of pick and shovel and horse-drawn scoops and drays—is great news. New powerhouse locos have been put on order and the vandalism perpetrated on the Gold Coast line by the Nationals and Liberals in 1964 has been reversed by the work that is proceeding apace from Beenleigh to Helensvale.

I want to talk about the bright new service that has commenced between Brisbane and Longreach, namely, the Spirit of the Outback. For the first time—except during flood periods when trains were diverted inland—it is now possible without changing trains to travel between Brisbane and the heart of Queensland, to Barcaldine and Longreach. David Hamill, Queensland Rail and the present Labor Government deserve considerable praise for this great new service that has been introduced at a time when the passenger rail services of other States are stagnating or being reduced. New South Wales has abolished services similar to this one, with the demise of the excellent service of the Southern Aurora that was put off the rails in recent weeks and replaced with the obnoxious XPTs, which are great for a short journey but which are totally unsuited to the vast distances of Australian main lines. The catering provided by the XPTs would not do justice to a soup kitchen.

In contrast to that, the Spirit of the Outback is entirely different, with dinkum Australian cuisine that is served in the Tuckerbox dining car by smiling Australian waitresses who are smartly turned out in a modern uniform. The appropriate theme of the Tuckerbox is conveyed by outback decorations. With the Captain Starlight club car and the Stockman's Bar both decorated with historic adornments, no-one is likely to die of thirst on this outback journey. Denise Corcoran has excelled herself in the interior design and decor of this train, and the sleeping cars in particular have been developed as restful and user-friendly lounge rooms that are converted to bedrooms at night. Not only does Denise Corcoran deserve the highest praise but also the genius of Eric Adam and Jack Duggan, who produced the cars which have now been refurbished and updated, should not be forgotten.

Car 1466 has been named the Robert Ballard car after the engineer. It was first commissioned in December 1952. It is still more operationally effective than any other passenger vehicle in use in Australia. With all seats and berths facing forward and soundproofing to a high standard, its riding qualities are excellent. All of the sleeping cars have names associated with the central railway and the central western region of Queensland—Hugh Sawry, Robert Ballard, Hudson Fysh, Jackie Howe and Banjo Patterson. The sitting cars are similarly well named and they are well patronised. The economy sleeping cars, Banjo Patterson and Robert Ballard, are excellently designed and decorated. I would recommend them for family groups as an excellent means of travel at the most reasonable fare. But they need more people.

The staff deserve the highest praise for their attitude and their concern to look after the passengers and make the journey a memorable one. One aspect that can be considered to improve the service is the provision of an itinerary with locality notes giving a historical outline of the districts that the train passes through. There is a fascinating, sometimes tragic, and often humorous story waiting to be told. The story of constructing the line under the supervision of Robert Ballard provides a sufficient database for a novel or two, and the characters of the outback, together with the localities passed through, would have to be culled severely to be read at the appropriate location. That is not a criticism; it is merely a suggestion to slightly improve a wonderful experience as well as a most praiseworthy service. The journey has much attractive scenery to show to travellers, particularly the crossing of the Drummond Range from Bogantungan to Drummond. The entire journey is completed in daylight.

I mentioned the influence of Jack Duggan, who laid down the foundations of our passenger rail fleet over 40 years ago. Earlier tonight, he was referred to by the member for Toowoomba South as a mayor of that city.

Time expired.

Motion agreed to.

The House adjourned at 1.30 a.m. (Wednesday).